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Main works-

A saga of Sacrifices: Praja Parishad Movement in J&K

100 Documents: A reference book J&K, Mission Accomplished

A Compendium of Icons of Jammu & Kashmir & our Inspiration (English)

Jammu Kashmir ki Sangarsh Gatha (Hindi)

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JAMMU AND KASHMIR GOVERNMENT

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PREFACE

Although India is one geographical entity, yet she never achieved political homogeneity throughout her long and chequered history. A pioneering unsuccessful effort for her consolidation was made by the Magadhan Kings Bimbisara and Ajatashtra in the sixth century B.C. About three centuries later i.e. under the Mauryas, and particularly Ashoka, a large portion of India came under the sway of one emperor. But after about a hundred years when Mauryan empire lasted, the country again lapsed into numerous kingdoms. Nearly five centuries later, Chandragupta, and his more illustrious son Samudragupta, brought the major part of the country under their suzerainty. Harsha was, however, above to make himself the undisputed master of north India in the seventh century. All later attempts of political consolidation of the country failed again and again.

Even under these emperors, a diversity of autonomous states constituted the mosaic of an empire. The emperor claimed suzerainty over these rulers, who offered allegiance to him, subordinated their foreign policy to his diplomatic moves, usually served him in war, and offered him tributes, but who, in other respects, retained their sovereignty. Whenever the authority of the emperor weakened, the subordinate rulers asserted their independence. There was a perpetual struggle for supremacy. Mutual jealousies and conflicts made the country an easy prey to an organised invasion.

The Muslims were, thus able to vanguish the Hindu kingdoms in north India in the eighth century. But it was the conquest of the Punjab by Mahmud of Ghazni in the eleventh century that opened the gates of India to the Muslim invaders from the north West. Delhi had, thus,

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witnessed as many as five Muslim dynasties and thirty three sultans till 1526. Ala-ud-Din Khalji was first of the Muslim rulers to conquer practically the whole of India. The Moghuls then appeared on the scene in 1526. But neither the Sultans nor the Moghuls did away with the system of subordinate rulers. Not even in the palmist days of the Hindu and Moghul emperors did the entire country come under one political umbrella. The British, however, brought India's enduring political consolidation. This also led to the rise of natural consciousness and for the first time in the country's history and the writ of a single central government from Kailas to Kanakumari, from Kathiawar to Kamarupa (the old name of Assam).

There may, however, be an earnest desire among the young scholars as well as the people interested in the story of integration of Indian States(Political history) to know about the Integerationist movements going in princely state during the times of culmination of political struggle for freedom in India, just after, and afterwards.

Viewed in this perspective, this project of the Integerationists Movements in Indian States with particular reference to Jammu and Kashmir, which is a sub-system of Indian political system is in the nature of a micro-study of a political phenomena widely prevalent in the developing societies.

Whereas, the Integerationist Movements in various princely states of India have been widely discussed by various writers, no serious attempt has so far been made to study Integerationist Movements in Jammu and Kashmir in true historical perspective. As the Jammu and Kashmir State is the only State of Indian Union which got a special status under Article 370 of the Indian Constitution, the significance and relevance of the present study is obvious. As contemporary political history is always controversial and opinion differs on many points, and each

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opinion has its value and it is only time which separates the facts from fiction, I have also dependent on pamphlets and newspapers, Indian and foreign in addition to books, as my source material. It makes this work an objectives presentation. Moreover, I have endeavoured to adhere to a factual narration, avoiding the expression of personal opinions as far as possible. This volume will, therefore, help the readers to understand and more rationally, the main course of political events taking place in the State of Jammu and Kashmir in the recent past.

INTRODUCTION

August 1939 was a month of International tension and anxiety because the peace of Europe, indeed the whole world hung perilously on a thread. On August 11, 1939 the Congress Working Committee passed a resolution declaring that, "it was opposed to any imperialist war, and that it was determined to resist any attempt to impose war on India, condemned the sending of troops to Egypt and Singapore and reminded provincial Governments to assist in no way the war preparations of the British Government..."[1]

Despite the unequivocal nature of the Congress resolution of August 11,1939, there were still some prominent congressmen who were anxious not to break with Britain. They believed that in a conflict between democracy and freedom on one hand and fascism and aggression on the other, their sympathies must inevitably lie on the side of freedom. They, therefore, pleaded that people of India could cooperate in the British War efforts, if His Majesty's Government would give a unilateral assurance that at the end of war full Dominion Status would be conceded to India, which should provide for India's unfettered liberty to frame her own constitution by means of Constituent Assembly[2].

The Council of the Muslim League in its resolution

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dated August 27, 1939 deplored the treatment meted out to Muslim by the British Government and stressed that if the latter desired the support of the Muslims of the world, the demands of Indian Muslims would have to be met without delay. The Council further pointed out that it was premature to determine their attitude in the event of a world war; if a State of emergency arose the question would be decided by its Working Committee[3].

However, Britain declared war on Germany on September 3, 1939 when she attacked Poland. Thus, with the outbreak of war an entirely a new situation had been created in Europe in general and in Indian sub-continent in particular. Simultaneously, Lord Linlithgrow announced that India too was at war with Germany and appealed for their sympathy and support in war efforts[4].

The Working Committee of the Congress in its September 14, 1939 resolution while expressing sympathy with the democracies and condemning German fascism and aggression, declared that India could not associate herself freely in a war said to have been fought for democratic freedom so long as that very freedom was denied to her. The resolution further stressed that the war measures had been taken without the consent and against the issues of the Indian people[5].

The Working Committee of Muslim League in its resolution dated September 18, 1939 expressed deep sympathy with the Allied cause, but warned the British Government that it could count on full Muslim support only on two conditions- The Muslim must be given justice and fair play in Congress provinces and an assurances that no declaration regarding constitutional advance for India would be made, nor any constitution framed, without the consent and approval of the Muslim League[6].

In its October 10, resolution The All Indian Congress

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Committee while repeating its protest against bringing India into the war without the people's consent, stated that Congress did not wish to take any decision precipitately and without giving every opportunity for the British Government to clarify its war and peace aims with particular reference to India. It repeated the request for a declaration of war aims of the British Government[7].

On October 13,1939 Viceroy issued a statement repeating the clear and positive policy of His Majesty's Government, that Dominion Status was the natural issue of India's progress. He announced that at the end of the war, consultations would be made with representatives of several communities, parties and interests in India and with the Indian rulers with a view to securing their aid and cooperation in the framing of such modifications in the details of the plan embodied in the government of India Act 1935 as might seem desirable. He also announced his intention to set up a consultative groups representative of all major political parties in British India and of the rulers to bring about a closer association of India with the prosecution of the war[8]. But nothing came out of this declaration as both the Indian National Congress and Muslim League rejected the viceroy's offer[9].

The Congress Working Committee at its Wardha Session on October 22 and October 23, 1939 decided that it could not give any support to Great Britain, for that would amount to an endorsement of the imperialist policy, which the Congress had always sought to end[10].

The implications of the Viceroy's statement dated October 18,1939 were discussed with him by the Standing Committee of the Chamber of Princes on January 25,1940. The ruler demanded that no commitment affecting their rights or interests would be made without their consent. Lord Linlithgrow however, undertook to honour in full the treaty obligation of His Majesty's Government[11].

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The communal situation by this time had considerably deteriorated and no understanding could be brought about between two major communities-the Hindus and the Muslims. In January, 1940 Jinnah declared that Hindus and Muslims formed two separate nations and that both must share the governance of their common motherland[12].

The Congress Working committee met in Patna on February 28,1940 and reiterated again the inability to participate in a war undertaken for imperialistic ends and affirmed that nothing short of complete independence could be acceptable by the people of India[13]. Muslim League, on the other hand, declared that if the British Government desired the support of the Muslims of the world, the demands of Muslims of India would be met without delay[14].

At the Lahore Session of the Muslim League Mr. Jinnah declared that the Muslims nation must have a separate independent state of Pakistan[15].

At a meeting of the Chamber of Princes held in March, 1940, the rulers declared their determination to render every possible assistance to His Majesty's Government in the prosecution of the War and their complete approval of the war aims of the Allies. At the same time they demanded the preservation of their autonomy and the protection of their rights in the future constitution[16].

Lord Linlithgrow had, always taken a consistent attitude towards the rulers. He was again doing anything that would alarm or dishearten them. The rulers, in his opinion, were the only solid and dependable element so far as the British relationship with India were concerned[17].

The deadlock in negotiations with Indian leaders of major political parties was, thus, continued[18]. Meanwhile the events took a quick and dramatic turn. Hitler suddenly invaded and over ran Norway and Denmark. Holland and Belgium surrendered, France collapsed and the British

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expeditionary forces had to retreat from dunkisk. The sudden disaster brought about a change in Government in Britain. In May 1940, Winston Churchill replaced Neville Chamberlain as P,.M. and L.S. Amery succeeded the Marquess of Zetland as Secretary of State for India[19].

On August 8,1940 Lord Linlithgrow advanced some new proposal on behalf of His Majesty's Government. He offered a certain number of seats in the Governor General's Executive Council to representative Indians, proposed that a war advisory council be established containing representatives of the States of British India and proposed that after the conclusion of the war, a body representative of the principal elements of India's national life would be called up to devise the framework of a new constitution. But both the Congress and Muslim league rejected the offer[20].

By the middle of 1941, a serious change in the war situation had taken place. The Axis Forces had succeeded in rapidly over running Yugoslavia and Greece and in occupying islands in the Aegean Sea. The Viceroy decided that the could no long afford to follow a policy of wait and see. Since the Congress and the League were determined not to cooperate, he would invite the support of leaders from outside those parties. The number of members of the Executive Council was raised from 7 to 12 and Indian element from 3 to 8, and members were chosen from outside the League and the Congress fold[21].

Towards the close of 1941, the War situation had changed for the worse. Germany was knocking at the gate of Stalingrad on December 7,1941 Japan entered the war and within the short period of twelve weeks won remarkable success against what the Japanese propagandists is called the A,B,C,D powers i.e. America, Britain, China and Dutch. Singapore surrendered on February 15,1942. The Japanese

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naval units were already harassing British Shipping in the Bay of Bay of Bengal. On March 7,1942 Rangoon fell to the Japanese and their troops fanning across Burma. Thus India was brought direct into the zone of war[22].

The Working Committee of Congress in its Bardoli resolution said, "...The sympathies of Congress must inevitably lie with the people who are subject of aggression and who are fighting for their freedom, but only a free and independent India can be in a position to undertake the defence of the country on a national basis and be of help in the furtherance of the larger cause that are emerging from the storm of war....[23]"

The exigencies of the war created a demand in Britain and U.S.A. for a new declaration of the policy towards Indian, Mr. Churchil himself formulated a scheme in the form of an appeal to the Indian people. He stressed, "India's best and most representative men from every community, party and province, as well as the princes, should come forward to serve India and to lay the foundations for a new future based on India's complete freedom to control her own destiny within, it is hoped and believed, the fellowship of the British commonwealth[24].

Mr. Churchil declared in the House of Common on March 11,1942 "The Crisis in the affairs of India arising out of the Japanese advance...and the war canbinet was sending our Sir Stafford Cripps to India with a set of proposals to remove the doubts and apprehensions in the mind of Indian parties and convince their leaders how those proposals constitute a far reaching advance towards satisfying Indian aspirations. But cripps proposal were rejected by Indian National congress as well as Muslim league[25].

The Congress Working committee in its resolution of July 1942, demanded that the British rule in India must

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end immediately and neither settlement of the Communal Tangle, nor effective resistance to foreign aggression, was possible while British authority lasted. The committee also resolved to launch a mass movement if the British did not withdraw from India. Even the Ghandi-Jinnah talks broke down. The statement was, thus, continued[26].

Lord Wavell replaced Lord Linlithgrow as Viceroy of India and it was clear that once peace was established, it would be difficult to deny or delay the transfer of substantial power to Indian hand[27]. In December 1943 Jinnah invented a new slogan, "Divide and Quite"[28]. Muslim League resolved to establish a "Committee of Action" to organise Muslim call over India to resist the imposition of a unitary constitution and to prepare for the coming struggle for the achievement of Pakistan. Lord Wavell in the conference of Governors held in August 1944, declared that "His Majesty's Government was pre-occupied with its vast undertakings eleswhere and, so long as the war continued had little time to devote to Indian political problems. He then appealed to Indian leaders to create an atmosphere of goodwill and mutual confidence[29].

The General Election in Britain in 1945 however, resulted in a resounding victory for Labour party with clear majority in the House of Commons. With Clement Attlee as Prime Minister and Lord Pathick Lawrence as Secretary of State for India. National opinion in India acclaimed the labour party's success with jubilation.[30]

Meanwhile the surrender of Japan was accelerated by the dropping off Atom Bomb on Hiroshima on August 6,1945. The end of the war, therefore, brought to the fore the urgency of finding a permanent and lasting solution of India's constitutional problem. Lord Wavell announced on 19th August, 1945 that "His Majesty's Government are determined to do their utmost to promote in conjunction with the leaders of Indian opinion the early realisation

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of full self-Government in India.[31]" But Mr. Jinnah and Liaquat Ali Khan reiterated that no solution would be acceptable except on the basis of Pakistan. The All India Congress Committee in its resolution of 21 September pointed out that nothing short of independence would satisfy the congress and the country[32].

The new year (1946) began with a broadcast message by Lord Pathick, The Secretary of State that the British Government and the whole British people earnestly desired to see India arise quickly to the full and free status of an equal partner in the British Commonwealth.[33]".On February 9, 1946 Lord Pethik Lawrence in the House of Lords and P.M.Attle in the House of commons made a simultaneous announcement that in view of the paramount importance not only to India and the British commonwealth, but to the peace of the world, for a successful outcome of discussion with leaders of Indian opinion, His Majesty's Government had decided to send out to India a special mission consisting of the Cabinet Minister to seek, in association with the viceroy, an agreement with those leaders on the principles and procedure relating to the Constitutional issues[34].

Meanwhile a serious incident-the revolt of certain Royal Indian Nval Personnel which was followed by a grave civil turmoil in Bombay took place on 18 February 1946 because of untold hardships regarding pay and food, the most outrageous racial discrimination against Indian naval personnel and their commander's derogatory references to their national character, they took possession of some of the ships, mounted the guns and prepared to open fire on the military guards. The strikes and hartals were also organised in Bombay and unruly crowds went about looking and setting fire to banks, shopes, post offices, police posts and grain shops. The police opened fire several times and army had to be called in to assist in for

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restoration of law and order. Over 200 persons were killed. It repercussions were also followed in Karachi, Madras and Calcutta. Even the Army and Air Force were not altogether unaffected[35].

On 15th March, 1946 Mr.. Attlee announced in the House of Commons, "The tide of nationalism was running very fast in India and it was a time for clear and definite action. The Cabinet Mission-consisting of three cabinet Ministers was going to India with the intention of using their utmost endeavours to help her to attain freedom as speedily and as fully as possible[36].

The Cabibet Mission arrived in New Delhi on March 24,1946 and left India on June 29, 1946. Its more than three months stay here had been a strenuous period of difficult and sustained negotiations with Indian leaders but without any tangible result. The Mission once again made it clear that the labour party in England meant to keep their pledge to withdraw from India as soon as possible[37]. According to Cabinet Mission Plan the paramountcy was to lapse and the princess of the States would become free to decide about joining any of the two dominions-India and Pakistan or to remain independent. The plan was ultimately accepted by the leaders of both the Indian national Congress and the Muslim League[38].

On February 20,1947 His Majesty's Government announced their intention of transferring power in British India to Indian hands by June 1948 and sought cooperation from the major political parties in the mission[39].

There were sharp ideological differences between the Congress and the Muslim League. The Muslim League was basing its demand that those areas of the British India, which had a majority of the population belonging to Muslim faith should be separated from the rest of the country to form Pakistan. But the Congress leadership was of the view that the country should not be divide merely on a religious

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basis. They decried the claim of Mr. Jinnah that the Muslims were a nation apart and had no affinity with the Hindus-the majority community-because a large percentage of Indian Muslims were in fact converted from Hinduism. The Cabinet Mission, after having failed to secure an agreement between Congress and Muslim league, formulated its proposals which were announced on May 16,1945. The plan envisaged the creation of three groups of provinces. Group B comprised the then Punjab, Sind, Baluchistan and N.W.F.P. group 'C' to be comprised Bengal, and Assam, while the rest of British India was grouped together as "A". There would be a Federal government at the centre dealing only with Defence, Foreign Affairs and Communication, with limited financial power, all residue powers were to be exercised by the groups. Ten years after the promulgation of the constitution, any state could opt out of the group, and similarly any group could ask for a reconsideration of its relation with the centre. Representation in the Central legislature was to be on the basis of population, but certain safeguards were provided to protect important questions affecting Muslims[40]. Both Congress and Muslim League accepted the proposals. But congress afterward backed out[41].

Thus, political deadlock dragged on from 1946 to 1947.All efforts of the Congress to avert partition failed as the League instigated by sympathiser in the top echelons of the British bureaucracy in India and Britain, struck out for Pakistan. The leaders of Muslim league then started making inflammatory speeches, inciting Muslim community to start religious frenzy, which calumniated in unbelievable atrocities loot, rape, murder and provoked retaliation from the Hindu[42]. Finally, the Congress capitulated under heavy pressure and the twin states-the Dominion of India and dominion of Pakistan (i.e. subsequent

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Secular Democratic India and Islamic, Autocratic Pakistan) proposed to be were born with governor-General Mountbetten playing the role of mid wife[43].

In these compelling circumstances, the Indian independence act of 1947 providing for partitioning of British India and transfer of power to two new created Dominions-India and Pakistan was passed by British parliament on June 17,1947. On 14th August, 1947 and 15th August, 1947, thus, dominion of India and Dominion of Pakistan emerged as two independent States respectively[44].

As a compromise between the Congress demand for a United India and the Muslim league demand for a separate state of Pakistan, the Cabinet Mission Plan had recommended a week federal centre confined to defence, external affairs and communications and all powers vested in the provinces[45].

However, with the secession of the Muslim Majority areas from the rest of India and their constitution into a separate state under the June 3rd plan, the motive for an attenuated centre disappeared, so far as the relationship of government of India with the provinces was concerned. The princely states had acceded with the Indian Dominion on the three subjects i.e. defence, external affairs and communications with out any other commitment-financial or otherwise. As the Constituent Assembly was siting in Delhi and the representatives of all the States were participating in its deliberation, the central leadership thought that a closer relationship on a wider range of subjects would be forged between the centre and states. The policy of integration, which started with the merger of the Orissa States with the province of Orissa and the Integration of the Kathia war States into the Saurashtra Union, was an example to the ultimate solution of the State problem[46]. the Government of India intended to take appropriate steps for the complete merger of States with the rest of India

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well before the new constitution of India came into force. Thus, the government of India Act of 1935 was amended by inserting three new sections viz. Section 61-A, 290-A and 290-B. The merged states with provinces were treated as part and parcel of the provinces in all respects and the new Chief Commissioners of provinces came under the control of the government of India[47].

There was also provisions for the setting up of Constituent Assemblies in all the Unions i.e. Union of Orissa States, Saurashtra, matsya, Rajasthan, Vindhya Pradesh Union, Madhya Bharat Union, Patiala, east Punjab States Union, Thavancora-Cochin. The Rajpramukhs of Saurashtra Union executed a fresh instrument acceding on defence, external affairs and communications with Indian Dominion. Rajpramukh of Rajasthan Union surrendered more subjects from the federal and concurrent lists for legislation by the dominion Legislature. So far as Madhya Bharat Union, it was made mandatory on the Rajpramukh to execute an Instrument of Accession acceding all the federal and concurrent subjects in Government of India Act 1935 except the entries relating to any tax or duty. Similar provisions were included in the convenient of the Patiala and East Punjab States Unions.

In May 1948, a Conference of Rajpramukhs and ministers of all Unions was held at Delhi. It was decided that a revised Instrument of Accession should be executed by the Rajpramukhs acceding on all the subjects in the federal and concurrent lists. In June, 1949, the Maharaja of Mysore, with the concurrence of his Ministers, similarly executed a revised Instrument of Accession. There were also provisions for the setting up of the Constituent Assemblies in all the Unions i.e. Union of Surashtra, Matsya, Rajasthan, Vindhya Pradesh Union, Madhya Bharat Union, Patiala, East Punjab States Union, and Travan core

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Cochin to frame their constitutions. Later on it was realised that it would be unwise and even dangerous to leave the framing of constitutions to local constituent assemblies without some guidance and coordination by the Government of India. The States Ministry, therefore, set up a Committee in November, 1948 under the Chairmanship of Sh. B.N.Rao to frame a model constitution. The Committee drafted a model constitution for the unions and states and recommended that Rajpramukh or the ruler should, where necessary, by a proclamation authorise the consembly of his union or state to take the model constitution into consideration, that Constituent Assembly should consider the drat and pass a resolution requesting the Constituent Assembly of India to incorporate it in the Constitution of India, And the ruler or the Rajpramukh as the case may be, should, thereafter, formally acceded to the Indian Union set up by the Constitution of India[48].

Owing to a number of practical difficulties the procedure suggested by the Rao Committee could not be implemented. The entire subject was discussed in detail with the Chief Ministers of the various Unions and States at a conference held in Delhi on 19th May, 1949. It was decided that separate constitution for the several Unions and States were not necessary and that the constitution, as framed by the Constituent Assembly of India, should apply to them as well. Accordingly the State Ministry appointed an official committee to examine the draft constitution of India and to suggest amendments to be incorporated in it with a view to approximating the position of the States and Unions to that of the provinces. The Committee's recommendations were discussed with the Drafting committee and the amendments were finalised. The amendments affecting the States and Unions were then incorporated in the Constitution. It was decided that the acceptance of

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the Constitution should be by the Rajpramukh or by the ruler, as the case may be, on the basis of a resolution to be adopted by the C.A. where such body existed i.e. in case of Saurashtra, Mysore and Travamcore-Cochin. In case of Unions, where no C.A. had been set up, the Rajpramukh would issue a proclamation accepting the Constitution as framed by C.A. of India. In the case of J&K Yuvaraj Karan Singh, the then Regent of the State, issued a proclamation that the constitution of India is so far as it was applicable to the State would govern the constitutional relationship between that State and India[49].

The new constitution of India, therefore, completed the process of the integration of States. If one were asked to name the most important factors that have contributed to the stability of the country, there is little doubt that one would mention at once two factors the first being the integration of the Indian States and the second a constitution framed with the willing consent of the people[50].

The future of the princely States was defined in a memorandum (dated May 12,1946) on State Treaties and paramountcy presented by the Cabinet Mission to the Chancellor of Chamber of Princes in India. The Princes were, therefore, free to accede to one or the other dominion or become independent[51].

The fate of Indian States was, thus, to be decided by negotiations. The Government of Indian Dominion had entrusted this job to Sardar Vallabhai Patel , Iron man with clear vision, firm determination and political sagacity. He was assisted in no less a manner by the astute statesmanship of Lord Mountbatten-Viceroy of India. He had been especially selected by the British Government to pave the way to obtain from the princes the Instrument of Accession of their respective States[52]. As a result all

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but three States-Junagadh, Hyderbad and J&K acceded to either dominion by that date[53].

At the time of the partition of Indian sub-continent, the State of Jammu and Kashmir had important international boundaries. To the east was Tibet, to the North-East lay the sinkiang province of China and Afghanistan. A tongue of Afghanistan territory, Wakhan, is north of Gilgit and is the West of the main route from Gilgit to Kashgar over the Mintake Pass. A few miles ahead is Russian Turkestan[54]. J&K State always had a preponderance of Muslims. There were complaints that the majority of the posts both in the government and Army were being held by Hindus.

In 1932, the All J&K Muslims Conference, with Sheikh Mohammad Abdullah as its moving spirit, was established to fight for the rights of the Muslim community. By 1939 this body shed its communal complexion and changed its name into The All J&K National Conference. It was subsequently affiliated to the All India State Peoples Conference. Repeated compaings against Maharajah were launched by the National conference and Sheikh Abdullah was imprisoned on several occasions[55].

In 1946 he organised the Quit Kashmir movement against the Dogra rule and as a result, was sentenced to a long term of imprisonment. By that time he had acquired a considerable hold over the people of the State[56].

After the announcement of the June 3rd, 1947 plan, when Lord Mountabatten was discussing the policy of accession of the Indian States to one Dominion or the other, he became particularly concerned about J&K State- a State with the biggest area in India, with a population predominantly Muslim, ruled over by a Hindu Maharajah[57].

During this period the sub-continent fell prey to Hindu-Muslim riots and the division of the country had developed a sense of insecurity and anarchy[58]. Lord

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Mountbathem knew Maharajah well, having been on the prince of Wales Staff with him during his Royal Highness tour 1921-22. He accepted a long standing invitation from maharajah to visit Kashmir again and went there on June 19,1947 and stayed there for four days. Lord Mountbatten had met the Maharaja first when he had come to Jammu inconnection with the visit of the Prince of Wales and where he had played Polo with the Kashmir rulers. The two were, therefore, friendly and the mission of viceroy was to prompt the Maharaja for acceding to India despite the fact that the state had 86% of Muslim population, most of its borders touched Pakistan, its all rivers flows down to Pakistan and its geographical situation demanded its accession to Pakistan[59].

During the very first meeting he told Maharaja that "If he wanted to accede to Pakistan, India would have no objection. The Maharaja plainly refused to join Pakistan under any circumstances[60]. viceroy then said, "If you do not want to join Pakistan, you should acced to Indian dominion and in that case I am prepare to send one Army division to guard the frontiers of your State[61]. To this Maharaja said, "I do not want to accede to India either I want to remain independent[62]. He told him that independence was not, in his opinion, a feasible proposition and that the state would not be recognised as a dominion by the British government. If he did so, he would lose his crown and his throne[63]. Though Maharaja was not convinced with the viceroy, yet he showed his willingness to continue his talks. But practically avoided doing so. He assured the Maharajah that, so long as he made up his mind to acceded to one Dominion or the other before August 15,1947, no trouble would ensure, for whatever dominion he acceded to would take the State firmly under its protection as part of its territory. He went further to say that in view of

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the composition of the population, it was particularly important to ascertain the wishes of the people. The Maharaja appeared quite incapable of making up his mind, before his departure from Srinagar. The viceroy then suggested that there should be a common session of talks between him, the Maharaja, his P.M. and his advisors on the last morning so that the issue of Kashmir's accession was settled. But at the last moment Maharaja, on the pretext of dysentery, send a message that he was confined to bed and begged to be excused[64].

Viceroy thus, found Maharaja elusive, and returned to new Delhi without having had an opportunity for a final discussion[65].

According to Mohammad Yusuf Saraf two factors existing at that movement were prima facia important. The first one was Maharaja's personal hatred against Pt. Nehru, who had not been very popular with the Indian Princes because as President of the All India States People's Conference, had not only from time to time been airing grievances of their subjects but also been occasionally attacking the princely order itself and the treaties that protected them. Moreover, his hatred for Sheikh Abdullah, who was publically supported by Pt. Nehru since 1940. Therefore, despite being pronouncedly pro-congress and inherently and basically lied to the wheel of Hindi India, he was wavering in his mind about the State's ultimate politication affiliation. In his heart of hearts, he would have liked to acceded to India but the fears engendered on account of Congress dominated free India with a very powerful and autthoritarian P.M.Pt. Nehru and his humour instinct of self-preservation pulled its weight against immediate decision of accession to India. Secondly, Pt. Ram Chandra Kak, who was not only hated by Pt. Nehru but also worried that States accession to India would bring the nationalists

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to power in the State which meant not only the slaughter of his political ambitions but also lead to his disgrace. Mr. R.C.Kak, no doubt believed that State's accession to Pakistan was economically imperative and would help in sparing his country from blood shed, insecurity and economic strangulation yet he did not dare to suggest such a course to Maharaja as it would have dangerous consequences. He was, therefore, advocating a declaration for independence[65(a)]. But Mr. V.P.Menon rightly pointed out that situated as the Maharaja, it was not only for him to come to decision. If he acceded to Pakistan, the non Muslims of Jammu and Ladakh as well as considerable sections of Muslims led by the National conference would definitely have resented such action. On the other hand, accession to India would have provoked adverse reaction in Gilgit and in certain areas contiguous to Pakistan. Furthermore, at least at that time, the road communications were with Pakistan and the forest resources, particularly timber which constituted a considerable portion of the State's revenue, were being transported by rivers which flow into Pakistan. Mr. Menon further added that there was an obvious line of action which Maharaja might have taken. But he being in a Micawberish frame of mind, hoping for the best while continuing to do nothing. Beside he was toying with the notion of an Independent Jammu & Kashmir[65(b)].

Even Sardar Patel in his letter to Maharajah dated July 3,1947 wrote:

"As a sincere friend and well wisher of the State, I wish to assure you that the interest of Kashmir lied in joining the Indian Union.[66]" He further added that "I was greatly disappointed when His Excellency the Viceroy returned without having full and frank discussion with you on that fatal Sunday, when you had given an appointment which could not kept because of your sudden attack of cholic pain. He had invited you to be his guest at Delhi,

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and in that also he was disappointed. I had hopes that we would meet here, but I was greatly disappointed when His Excellency told me that you did not avail of the invitation."[67]

Mahatama Gandhi also paid a short visit to Srinagar on August 1,1947. He met the Maharaja and impressed on his the desirability of acceding to the demand of the people for a constitutional Government but without any concrete results[68].

Immediately after the transfer of power on August 15,1947 Lord Ismay went to Srinagar. Lord Mountbatten had asked him to persuade the Maharaja to take one course or the other as soon as possible but nothing came out of Lord Ismay's efforts[69].

Maharaja, however, was caught on the horns of dilemma whether to accede to Indian Dominion or to Pakistan or to declare J&K as independent State. Like some of the other princes, he too being carried away by sentimentalism rather than realism and supported by his advisors and even some of the leaders of the politically conscious groups in the State, fondled with the idea of independence[70]. Mr. R.C.Kak the Prime Minister of the State said to have met Mr. Jinnah twice in this connection[71].

Actually, the situation was much that it was not easy for Maharaja to come to a decision. Mr. V.P.Menon rightly pointed out that if he acceded to Pakistan, the non Muslims of Jammu and Ladakh as well as considerable section of Muslim led by the National Conference would definitely have resented such action. On the other hand, accession to India would have provoked adverse reactions in Gilgit and certain areas contiguous to Pakistan. Moreover, at that time, the road communication were with Pakistan and the forest resources, particularly timber which constituted a considerable portion of the State revenue, were being

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transported by rivers which flow into Pakistan[72].)

In order to get more time for the final decision of the State's accession, Maharaja offered a stand-still agreement to both the dominions so that such essential facilities as post and telegraphs, communications etc. might continue to be available and the status quo in respect of customs, currency, import and export, control, defence, foreign relations etc. might be maintained[73]. Trade links between Kashmir and Pakistan remained undisturbed. It may be recalled that all the trade routs of Kashmir were, thus, connected with those areas which had joined Pakistan and the communication system was also under those areas which had formed a part of Pakistan[74]. Pakistan agreed to it hurriedly whereas the Government of India wanted concurrence of the people of the State. Inspite of that Pakistan not only began to put undue pressure on Maharaja to accede to it but started creating tensions in the region by economic blockade, by cutting the supply of essential commodities. Military pressure was also applied in the form of hit and run boarders raids along 450 miles frontier which rendered the defence of the State ineffective to resist as all out attack on the State[75]. Meanwhile Dewan Shive Lal, retired Deputy Commissioner of Dera Ismail Khan made the following statement about Pak designs in Delhi:

1. About a fortnight back a scheme had been started to send armed tribal people to the Pakistan kashmir boarder from Malakand to Sialkot. About five lakhs have moved more are moving in large numbers. Transported by lorries (civilian as well as military) provided by Pakistan Government, Arms confiscated and seized from non Muslims in these areas are being supplied to the tribal people. Factories in frontier are producing more arms and ammunition.

2. State of Dir, Swat and Chitral are also preparing

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for an attack on Kashmir from the north-west. The Wali of Swat has been promised Kashmir[76].

Even the people of Kashmir were not ready to bow before the imperialist and colonial designs of Pakistan[77]. Meanwhile some of the leaders of Muslim conference including Mirwaiz Maulvi Mohd. Yusuf went to Pakistan to exchange ideas with the leaders of Muslim league[77(a)].

Sheikh Mohammad Abdullah was then released from Contonment Jail in Badamibag on September 29,1947 along with his colleagues on the instance of Sardar Vallabh Bhai Patel[77(b)]. Soon after the issue of Kashmir's accession to Indian dominion or Pakistan assumed serious dimentions[78]. Sheikh mohammad Abdullah appealed to Pakistan not to precipitate matters but given them time to weigh the issue of accession[79]. He said, "Give Kashmiris enough time to think over the pros and cons of accession to one or the other Dominion and support their immediate demand for freedom from autocracy[80]. At a meeting in Srinagar on October 3,1947 he said:

"Our choice for joining the Indian Union or Pakistan would be based on the welfare of 40 lakhs of people living in J&K State[81].

Mr. Dwarkanath in his letter to Pt. nehru dated October 4,1947 from Srinagar sent him the following information[82]:

1. Sheikh sahib and his close associates have decided for the Indian Union.

2. But this decision has not been announced yet and the impression is being given that so far the National Conference have taken no decision.

3. The leaders of the National Conference are mostly in Jail and only Sheikh Sahib has been released so far.

4. The stand taken by Sheikh Sahib is that the political prisoners must be released and the Working Committee and the General Council must be allowed to meet

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to consider the problem and to place their decision before the people.

5. Meanwhile Sheikh Sahib is delivering speeches to educate public opinion and to prepare the people for what seems to be the inevitable decision of the National Conference.

6. Speeches are delivered to show that killings of Hindus and Muslims are un-Hindu and un-Islamic: that the issue of accessions cannot be decided by a religious sentiment and that the friends and sympathiser of Kashmiris during these years of struggle or suffering have been Gandhi ji, Jawaherlal ji and the congress and not the Muslims or the League or Mr. Jinnah. Attempts are being made to show that Jinnah and the League have done great harm to the popular movement in Kashmir and that the objective of the League and Mr. Jinnah is the preservation of the Princely Order and feudal oppression.

7. It is also emphasised that the objective of the Kashmir National Conference is the attainment of people's sovereignty with the Maharaja enjoying a constitutional position and that this would be the main actor determining the decision of the Conference in the matter of accession. In short, they would join the Dominion which enables them to achieve these objects or helps them in the achievement of their objective.

8. Another important fact which must be borne in mind is the utter collapse of the administrative and governmental machinery. An atmosphere of fear and insecurity pervades the place. There is no competent or reliable person to talk or negotiate on behalf of the Government or the Maharaja and so far no step has been taken to begin talks with Sheikh Sahib.

9. The Maharaja is incapable of taking a decision and though Sheikh has written a nice letter to him and the Maharaja too has expressed a desire to meet Sheikh Sahib

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and his wife, there has really been no move from the Government or the Maharaja.

10. All this has made Sheikh Sahib very uneasy and the continued imprisonments of his colleagues adds all the more to the seriousness of the position.

11. Sheikh Sahib feels that unless there is a transfer of power to a substantial degree the National Conference may find itself in a difficult position. To fight the League, to maintain law and order inside the State and to carry the masses with them it is highly essential that a settlement with the National Conference should be brought about simultaneously with the accession to the Union.

12. Alternative to the National Conference is undiluted Muslim communalism of the most militant type and the National Conference urges that it be taken into confidence and be closely associated with the governance of the country.

13. This is the demand of the progressive elements amongst the minorities and they also urge that all progressive sections should stand behind Sheikh Sahib and strengthen his hands.

14. The threat to Kashmir is real and unless the congress takes up a strong stand and forces the Maharaja to come to some agreement with the National conference Kashmir is doomed and there will be nothing to prevent the conquest of Kashmir by Muslim League leaders and private armies. The Maharaja is doomed and so are the National Conference and the minorities.

15. Sheikh Sahib has received your letter today and tomorrow a reply will be prepared for you.

16. I shall most probably fly back on Monday and shall bring it alongwith me. This letter will be a detailed one and will explain the case of the National Conference.

17. Sheikh Sahib was most anxious to fly to Delhi to

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meet you but the situation here is such that he cannot leave the place for some days more. He therefore, asked me to go back in order to explain the whole case to you and Sardar Patel.

18. I hope you will realise the urgency of the situation here and bear it in mind while talking with the representatives of the Maharaja.

19. I need hardly repeat that you realise the whole position much better than most of us but I hope your colleagues will also take similar view of the situation here."

Sheikh Abdullah said in an interview in Delhi on October 9,1947:

> "Kashmir cannot immediately decide the question of accession to either dominion. A quick decision on this issue would be incorrect and unwise too. It is much more necessary at present for Kashmir to secure the establishment of self-Government, so that the people armed with authority and responsibility could decide for themselves where their interest lay[83]."

During this period some Pakistani leaders including Mian Iftikhar-ud-Din, Brigadier Habib-ur-Rehman, Miss Nasira Sadiqui and Dr. Tasir came to Sriangar to have talks with sheikh Mohammad Abdullah. But they felt much disappointed after having met Sheikh[84]. As a follow up, a National conference delegation led by Mr.. G.M.Sadiq went to Lahore to hold talks with the leaders of Muslim league. They met several leaders there. Meanwhile Khawaja Ghulam Nabi Gilkar announced the formation of rebel Government for J&K[85].

Mr. Jinnah, then, deputed Major Shah one of the important secretaries of Pak-Government to Sriangar to persuade and to put pressure on Maharaja to accede to Pakistan because of the facts that its (86%) of population

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was Muslims, most of its borders touched Pakistan, its all rivers flow down to Pakistan and its geographical situation demanded its acession to Pakistan[86]. But when he failed in his mission, he returned and submitted his report to Pak-Government. Mr. Jinnah, thus, became impatient. In utter frustration and confusion and to secure Kashmir before, directed the tribesmen to invade Kashmir[87].

In middle of October, 1947, a large column of several thousand tribesmen armed with "Bren Guns, machine guns, mortars, and flame throws were preparing to attack the frontiers of the State. The Pakistan Govt. refuted the charged that tribesmen were being aided by her. Margaret Bourke while pointed out "certainly these miniature establishments (the small factories in tribal areas) would hardly explain the mortars, other heavy modern weapons and the two aeroplanes with which the invaders were equipped. In Pakistan towns close to the border arms were handed out before day light to tribesmen directly from the front steps of Muslims League Headquarters. This was not quite the same thing as though the invaders were being armed directly by the Govt.. of Pakistna. Still Pakistan is a nation with one political party the Muslim league."[2]

Mr.V.P.Menon rebutted the Pak leaders plea that tribal invasion of Kashmir was wholly a spontaneous affairs.[3] Lord Birdwood rightly remarked that the fact that tribesmen carried a certain amount of equipment and arms which could not have come from the limited means of the tribal factories was a proof of a leakage from Pakistans regular forces.[4] Moreover, it was an admitted fact that the tribesmen invaded Kashmir from Pakistan territory. Even if Pakistan was not directly aiding the tribesmen, its territory was being used by them for the purposes of the invasion. Mr. W.E. Hall, the leading authority in International fame Law rightly pointed out that "A State must not only itself

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obey the law but it must take responsible care that illegal acts are not done within its dominions. Foreign nations have a right to take acts done upon the territory of a state as being prima facie in consonance with its will...".[5]

Even the Supreme Court of America while adopting the same view long ago in United States Vs Arjona (1887) laid down:-

> "...from the supremacy and exclusiveness of territorial jurisdiction, it follows that is the duty of a state, within the bonds the legal responsibility, to prevent its territory and territorial waters from being used to the injury of another state...."[6]

The tribal invasion, however, caused great devastation. The raiders were fast approaching Srinagar the summer capital of J&K. The Dogra army and the National Militia comprising National Conference volunteers tried to hold the enemy's on rush but prolonged resistance to well trained and well equipped invaders, including Pakistan regular soldiers in white clothes, was out of question. They were pushing ahead destroying and looting whatever came there way. The whole state was in imminent peril and the Maharaja saw his dream of independence shattered like a house of cards.[7]

Jammu and Kashmir was, thus invaded on October 22, by tribesmen from the North-West Frontier Province of west Pakistan with the connivance or active support of Pakistan's rulers.[8] Sheikh Mohammad Abdullah said:-

> "The invaders who came in the name of Pakistan to make us believe that they were true servants of Islam, scorched our

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> land, ruined our homes, spoiled the honour of our women and devastated hundreds of villages. These lovers of Pakistan dishonoured our mosques which they turned into brothels to satisfy their animal lust...with abducted women[88]".

He flew to New Delhi to appeal to Indian Cabinet to despatch armed forces to help Kashmiris to repel the invaders. The Maharaja also alarmed by the early success of the invaders and the devastation caused by them, appealed to India for military help on October 24,1947[89]. In a letter to Sardar Patel, Mehar Chand Mahajan, the then prime Minister of the State wrote:

> "The situation in the State at the present moment is such that one cannot get a single moment to think of politics. We are practically working on a war basis and every minute of our time is taken up with the border situation which is worsening everyday[90]".

The Government of India made it clear to maharaja that it could not acced to his request for military help until he offered his state's accession to India[91]. A meeting of Defence Committee was held on october 25 morning to consider the request of Maharajah. Lord Mountbatten emphasized that no precipitate action should be taken until Government of India had fuller information[92]. V.P.Menon Secretary of the State Ministry Govt.. of India was sent to Srinagar to explain the position to the Maharaja[93]. Impressed by the gravity of the situation, Menon felt that unless India could help immediately, the valley would be lost[94]. As a result of Menon's assessment of the situation, the Maharaja left Srinagar with his wife and son. The Defence committee of the government of India

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considered the situation in Kashmir and the request made by the government of Jammu and Kashmir State for help against the raiders who had entered their territory and caused great loss and the suggestions that the Kashmir State should accede to India was also considered. The Committee came to the following conclusion:-

1. In view of the request made by the Kashmir Government for help against raisers who have entered their territory, the Government of India have decided to give such help. In furtherance of this decision they are sending troops by air tomorrow to Srinagar. They intend reinforcing these troops by air as well as by the land route via Jammu, as the defence of Kashmir has become their responsibility now and they intend to discharge it to the best of their ability.

2. His Highness the Maharaja, in accordance with his wishes and the wishes of a large number of his people, will agree to J&K State according to the Indian Dominion. The Government of India will accept his accession provisionally subject to their declared policy that such matter should be finalised in accordance with the will of the people. Any reference to the people can only take place when law and order have been fully established.

3. H.H the Maharja will invite Sheikh Abdullah to form an interim Government after the Mysore pattern[95].

The decision of the Defence Committee was subsequently confirmed by the Cabinet on october 26, 1947[96].

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Governor General

Maharaja of Kashmir then wrote the following letter to Lord Mountbatten-the G.G. of India on October 26, 1947[97]:-

"My dear Mountbatten,

I have to inform your Excellency that a grave emergency has arisen in my state and request immediate assistance of your Government.

As your Excellency is aware the State of Jammu and Kashmir has not acceded to the Dominion of India or to Pakistan. Geographically my State is contiguous to both the Dominions. It has vital economical and cultural links with both of them. Besides my State has a common boundary with the Soviet Republic and China. In their external relations the Dominions of India and Pakistan cannot ignore this fact.

I wanted to take time to decide to which dominion I should accede, or whether it is not in the best interest of both the Dominions and my State to stand independent, of course with friendly and cordial relations with both.

I accordingly approached the Dominions of India and Pakistan to enter into Stand-Still Agreement with my State. The Pakistan Government accepted this Agreement. The dominion of India desired further discussions with representatives of my government. I could not arrange this in view of the developments indicated below. In fact the Pakistan government are operating Post and Telegraphy system inside the State.

Though we have got a Standstill Agreement with the Pakistan Government that Government permitted steady and increasing strangulation of supplies like food, salt and petrol to my state.

infiltrate

Afridis, soliders in Plain clothes, and desperadoes with modern weapons have been allowed to infilter into the State at first in Poonch, and then in Sialkot and finally in a area adjoining Hazara District on the Ramkot Side. The result has been that the limited number of troops at

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the disposal of the State had to be dispersed and thus had to face the enemy at several points simultaneously, so that it has become difficult to stop the wanton destruction of life and property and looting. The Mahora power house which supplies the electric current to the whole of Sriangar has been burnt. The number of women who have been kidnapped and raped makes my heart bleed. The wild forces thus let loose on the state are marching on with the aim of capturing Srinagar, the summer capital of my Government, as first step to over running the whole state.

The mass infiltration of tribesmen drawn from the distant areas of the North-West Frontier coming regularly in motor trucks using Mahshera Muzaffarabad Road and fully armed with up-to-date weapons cannot possibly be done without the knowledge of the provincial Government of the North-West Frontier Province and the government of Pakistan. Inspite of repeated ~~requests~~ made by my Government no attempt has been made to check these raiders or stop them from coming to my state. The Pakistan Radio even put out a story that a Provisional government has been set up in Kashmir. The people of my State both the Muslims and Non Muslims generally have taken no part at all.

With the conditions obtaining at present in my State and the great emergency of the situation as it exists, I have no option but to ask for help from the Indian dominion. Naturally they cannot send the help asked for by me without my State acceding to the dominion of India. I have accordingly decided to do so and I attach the Instrument of Accession for acceptance by your Government. The other alternative is to leave my state and my people to free-booters. On this basis no civilized Government can exist or be maintained. This alternative I will never allow to happen as long as I am the Ruler of the State and have life to defend my country.

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I may also inform your Excellency's Government that it is my intention at once to set up an interim government and ask Sheikh Abdullah to carry the responsibilities in this emergency with my Prime Minister.

If my State has to be saved immediate assistance must be available at Sriangar. Mr. Menon is fully aware of the situation and he will explain to you, if further explanation is needed.

In haste and with kindest regards,

Yours Sincerely,

HARI SINGH

In the Defence Committee meeting of the morning of 26 October, 1947 Lord Mountbatten said that it would be improper to move Indian troops into what was at that moment an independent country, as Kashmir had not then decided to accede to either India or Pakistan. He added that if Maharaja was anxious to accede to India, the J&K State would become part of Indian territory. That was the only basis on which Indian troops could be sent to the rescue of the State from further pillaging by the aggressors. He further expressed the strong opinion that, in view of the composition of the population, accession should be conditional on the will of the people being ascertained by a plebiscite after the raiders had been driven out of the State and law and order had been restored. This was readily agreed to by Pt. nehru and other Ministers[98].

V.P.Menon then flew back to Jammu. On arrival at the Jammu palace he found the Maharaja was asleep. Menon woke him up and told him of what had taken place at the Defence Committee meeting. He was ready to accede at once. He then composed a letter to the governor General describing the pitiable plight of the State and reiterating his request for military help. He further informed the Governor General that it was his intention to set up an interim Government,

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at once and to ask Sheikh Abdullah to carry the responsibilities in this emergency with Mehar Chand Mahajan his P.M. He concluded by saying that if the State was to be saved, immediate assistance must be available at Srinagar. He also signed the Instrument of Accession. He told Menon that before he went to sleep, he had left instrument with his ADC that if Menon came back from Delhi, he was not be disturbed as it would mean that Government of India had decided to come his rescue and he should therefore be allowed to sleep in peace, but if he failed to return, it meant that everything was lost and, in that case his ADC was to shoot him in his sleep[99]. Menon returned with the instrument of accession duly executed and a request for troops, arms and ammunition. The executed instrument of Accession is as under[100]:-

The Palace, Jammu,
26th October, 1947.

INSTRUMENT OF ACCESSION OF JAMMU AND KASHMIR STATE

Whereas the Indian Independence act, 1947 provides that as from the fifteenth day of August 1947, there shall be set up an Independent Dominion known as India, and that the Government of India Act, 1935 shall, with such omissions, additions, adaptations and modifications as the Governor General may by order specify, be applicable to the dominion of India.

And whereas the Government of India act, 1935, as so adapted by the Governor General provides that an Indian State may accede to the Dominion of India by an Instrument of Accession executed by the Ruler thereof.

Now, therefore, I Shriman Inder Mahander Rajrajeshwar Maharajadhiraj Shri Hari Singh Ji, Jammu and Kashmir Naresh Tatha Tibbetadi Deshadhipathi, ruler of Jammu and Kashmir State, in the exercise of my sovereigny in and over my

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said state to hereby execute this Instrument of Accession and:

1. I hereby declare that I accede to the Dominion of India with the intent that the Govenor General of India, the dominion Legislature, the Federal Court and any other Dominion authority established for the purposes of the Dominion shall, by virtue of this my Instrument of Accession but subject always to the terms thereof, and for the purposes only of the dominion, exercise in relation to the State of Jammu and Kashmir (hereinafter referred to as "this State") such functions as may be vested in them by or under the government of India Act, 1935, as in force in the dominion of Inida on the 15th day of August, 1947, (which Act as so in force is hereafter referred to as "the Act").

2. I hereby assume the obligation of ensuring that due effect is given to provisions of the Act within this State so far as they are applicable therein by virtue of this my Instrument of Accession.

3. I accept the matters specified in the schedule hereto as the matters with respect to which the dominion legislature may make law for this State.

4. I hereby declare that I accede to the dominion of India on the assurance that if an agreement is made between the govenor General and the Ruler of this State whereby any function in relation to the administration in this State of any law of the Dominion Legislature shall be exercised by the ruler of this State, then any such agreement shall be deemed to form part of this Instrument and shall be construed and have effect accordingly.

5. The terms of this my Instrument of Accession shall not be varied by any amendment of the Act or the Indian Independence Act, 1947, unless such amendment is accepted by me by Instrument Supplementary to this

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Instrument.

6. Nothing in this Instrument shall empower the dominion Legislative to make any law for this State authorising the compulsory acquisition of land for any purpose, but I hereby under take that should the dominion for the purpose of Dominion law which applies in this State deem it necessary to acquire any land, I will at their request require the land at their expense, or if the land belongs to me transfer it to them on such terms as may be agreed or, in default of agreement, determined by an arbitrator to be appointed by the Chief Justice of India.

7. Nothing in this Instrument shall be deemed to commit in any way to acceptance of any further constitution of India or to fetter my discretion to enter into agreement, with the Government of India under any such future constitution.

8. Nothing in this Instrument affects the cotinuance of my sovereignty in and over this State, or, save as provided by or under this Instrument, the exercise of any powers, authority and right now enjoyed by me as Ruler of this State or the validity of any law at present in force in this State.

9. I hereby declare that I execute this Instrument on behalf of this State and that any reference in this Instrument to me or to the Ruler of this State is to be construed as including a reference to my heirs and successors.

Given under my hand this 26th day of October, nineteen hundred and forty seven.

HAIR SINGH

Maharajadhiraj of Jammu and Kashmir State.

In his own words:

"Give army, take accession and give

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whatever power you want to popular party, but the army first fly to Srinagar this evening. Otherwise, I will go and negotiate terms with Jinnah as the city must be saved.[101]"

With the Instrument of Accession and the Maharaja's letter V.P.Menon flew back at once to Delhi. Sardar Patel was waiting at the aerodrome and both of them went straight to the meeting of the Defence committee. There was a long discussion, at the end of which it was decided that the accession of J&K should be accepted, subject to the proviso that a plebiscite would be held in the State when the law and order situation allowed. It was further decided that an infantry battalion should be flown to Srinagar next day. This decision had the fullest support of Sheikh Mohammad Abdullah, who was in Delhi at that time and who had been pressing the Government of India on behalf of the J&K National Conference for immediate help to be sent to the State to resist the tribal invasion[102].

The G.G. of Indian Dominion then gave the following acceptance to the Instrument of accession:-

ACCEPTANCE OF ACCESSION BY THE GOVERNOR GENERAL OF INDIA

I do hereby accept this Instrument of Accession.

Dated this twenty seventh day of October, niineteen hundred and forty seven.

MOUNTBATTEN OF BURMA
GOVERNOR GENERAL OF INDIA

After accepting the Instrument of Accession, . Lord Mountbatten wrote a personal letter to maharaja, in reply to his letter which had accompanied the Instrument of Accession. He wrote:

"....My government have decided to accept the acession of Kashmir State to the dominion of India. In consistence with their policy that in the case of any state where the

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~~It may not, however, be~~

It may not, however, be out of place to mention that Lord Mountbatten's letter to Maharaja, in reply to his letter accompanied the Instrument of Accession in which he wrote:

"..... it is my government's wish that as soon as law and order have been restored in Kashmir and its soil is cleared of the invader, the question of the State's accession should be settled by a reference to the people....."

simply indicated his government 'wish' which has no legal validity. Neither Maharajah's letter and nor the above said reply were the part of the Instrument of Accession. 115.

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issue of acc[illegible]he subject of dispute, the question of [illegible] be decided in accordance with the wi[illegible]e of the State, it is my Government's [illegible] as law and order have been restored in Kashmir and its soil cleared of the invader, the question of State's accession should be settled by a reference to the people[103]." Accordingly Dr. Adersh Sain Anand, C.J. of India is of the view that " this statement does not and cannot effect the legality of accession which was sealed by India's official acceptance. This statement is not a part of the Instrument of Accession.[104]" Mr. Mehar Chand Mahajan, the formal Chief Justice of India, however, observed:

> "The Indian Independence Act did not envisage conditional accession. It could not envisage such a situation as it would be outside the parliament's policy. It wanted to keep no Indian state in a State of suspense. It conferred on the rulers of the Indian States absolute power in their discretion to accede to either of the two Dominions. The dominions Governor General had the power to accept the accession or reject the offer but he had no power to keep the question open or attach conditions to it.[105]"

The only documents relevant to the accession were the Instrument of Accession and the Indian Independence Act and as the constitutional documents did not contemplate any conditions. There can be no question of the accession having been conditional[106]. In the words of Mahajan: "Finality which is statutory cannot be made contingent on conditions imposed outside the powers of the Statute. Any rider which mitigates against the finality is clearly ultra virus and has to be rejected[107]".

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issue of accession has been the subject of dispute, the question of accession should be decided in accordance with the wishes of the people of the State, it is my Government's wish that as soon as law and order have been restored in Kashmir and its soil cleared of the invader, the question of State's accession should be settled by a reference to the people[103]." Accordingly Dr. Adersh Sain Anand, C.J. of India is of the view that " this statement does not and cannot effect the legality of accession which was sealed by India's official acceptance. This statement is not a part of the Instrument of Accession.[104]" Mr. Mehar Chand Mahajan, the formal Chief Justice of India, however, observed:

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The announcement of Jammu & Kashmir''s accession to India caused great amazement among Pakistan leaders and rulers. Mr. Jinnah was of the view that the accession of J&K state was not bonafide one since it rested on "fraud and violence" and would never be accepted by Pakistan[108]. 120 Mr. Jinnah ordered the Nation's land forces to immediately occupy Jammu. But when the military Secretary to Governor General conveyed the orders to the then acting Commander in Chief General Gray, he refused to implement the orders without the permission of General Auckinleke who was Supreme 121 Commander of Joint Indo-Pakistan Army[109]. However, Pakistan refused to recognise this accession. Mr. Liaquat Ali Khan said:

> "We do not recognise this accession. The accession of Kashmir to India is a fraud, perpetuated on the people of Kashmir by its cowardly ruler with the aggressive 122 help of Indian government"[110].

A few days later the same Newspaper quoted the P.M. of Pakistan said:

> "There is not the slightest doubt that the whole plot of accession of Kashmir to India was preplanned, It cannot be justified on any moral or political 123 ground.[111]"

The P.M. of Pakistan Mr. Liyakat Ali Khan on the other hand rushed from Karachi to Lahore where he had convened a meeting of political and army officers. The army officers again suggested that Pakistan should immediately occupy Jammu. But P.M. did not agree on the plea that it would give India a pretext to launch an attack on Pakistan which could create severe danger for Pakistan. Instead they decided to help the invading tribesmen by providing them with more ammunition and arms and sending more men to

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fight in Kashmir[112].

The All J&K National Conference leadership had rejected the possibility of J&K State's accession to Pakistan because Pakistan had committed an act of aggression against the State and also because the principle on which it was brought into existence and its social and economic structure ran counter to the ideals and objectives which the popular leaders of the State had set for themselves[113]. The decision on accession to Indian Dominion was also endorsed at a special convension of the party held in October, 1948[114]. Its resolution ran "this convention has given its serious thought to the question of accession and has examined it in all its aspects and detail. After mature consideration of the issue it is definitely of the opinion that Kashmir, with its unflinching faith in New Kashmir and with the very advanced outlook of the people on the fundamental issues, cannot find its proper place in Pakistan, which today has become the main citadel of reaction and decaying feudalism...Pakistan with its basis in the two nation theory and its persistence in the perpetuation of religious distinctions does not and cannot accommodate a programme and an outlook which is the very negation of its basis and conceptions of social justice[115]."

The State of Jammu and Kashmir thus, became an integral part of Indian dominion in october, 1947. In their capacity as Indian nationals, the representatives of the State took part in the deliberation of the Constituent Assembly of India. The constitution framed by the consembly conferred a special status on the state and gave it the right to frame its own constitution[116].

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THE INTEGRATIONIST MOVEMENT IN J&K

The concept of 'Movement' within a political and social context is said to have been emerged from the experience of the French Revolution of 1789 and from the continuing struggle against the established authority in different countries in Europe[1]. It is an organised attempt on the part of a section to bring about partial or total change in its through collective mobilization based on ideology. Whenever a movement develops into a high degree of formal organisations, it ceases to be a movement and become a part of the Internalised System losing its innovative features.

However, over the last several centuries, the organisation and conduct of political movements have been complicated by the development of political parties and specific institutions for legislation administration and adjudication, as a result the opportunities for political conflict have increased alongwith the economic development and created new values, attitudes, interests and the proliferation of ideologies reflects these fundamental changes in our way of life and in the organisation of our society and government[2].

However, most of the modern political parties have a movement dimension. Some of the political parties contain more than one movement such as U.S. Democratic party. Some movements used political parties not only as an instrument to spearhead their action in seeking political powers but also to engage in action at pressure group, educational or cultural levels such as Communist Movements in most of Western European countries. For some movements party activity is considered either

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irrelevant to their purpose or entirely profitless such as millionaires movements or anarchist movements. But many protests and religious movement, moral crusaders and intellectual and cultural movements are sui-generis[3].

The Integrationist Movement in J&K State has, however, been spearhead by the All Jammu & Kashmir National Conference in Kashmir region; The All Jammu & Kashmir Praja Parishad/Jana Sangh/Bharitya Janta Party in Jammu region and Ladakh Buddhist Association in Ladakh region at different points of times.

The Integrationist Movement in the State of Jammu & Kashmir was first started by the All Jammu & Kashmir National Conference right from the dawn of democracy in Indian sub-continent and culminated in the accession of the State with Indian Dominion way back on October 27,1947. The seeds for this had, however, been sowed in the State with the changing of political pattern in British India a few years before the commencement of World War Second.

Sheikh Mohammad Abdullah left Srinagar for India to renew his contacts with Indian leaders just after the Third Annual Session of the All Jammu & Kashmir Muslim Conference at Sopore from November 11 to November 13,1934[4], he met Pt. Jawahar Lal Nehru and was much impressed by his political ideals and aims. By and by he developed personal and ideological links with him[5]. Sheikh Mohammad Abdullah met Pt. Nehru at Lahore railway station when the latter was on his way to the North-West Frontier province in 1937. They talked for a few minutes, but not satisfied. He then accompanied Nehru during his tour and discussed the possibilities of

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giving a secular character to kashmir Politics[6]. Sheikh Mohd. Abdullah then frequently went to India and met leaders like Gandhiji and Pt. Nehru. He was deeply impressed by their sense of dedication and sacrifice, and discovered complete identity of views between theirs and his. His intellectual horizon extended beyond the narrow communal confines of the valley and the political dimensions of his philosophy assumed a national perspective[7].

Moreover, the experience of the six years following the inception of Muslim conference in 1932 had more adequately revealed to Sheikh Abdullah and a few other leaders of Muslim Conference that narrow communal politics would certainly be no remedy for the ills of large scale poverty, economic hardship and exploitation faced by the people in J&K irrespective of their religions. Sheikh Abdullah and his colleagues realised that an agitation against the princely rule could not succeed without the support of all the communities because not only Muslims but all the poor and the low in all parts of the State were the subject of feudal oppression and tyranny. Being a shrewd statesman, Pt. nehru too possessed a precocious understanding about the future course of events in the subcontinent and had probably felt the pulse of the Kashmir Muslims[8]. He realised the importance of Sheikh Mohammad Abdullah as a popular leader in a geographically vital Muslim majority area and was wise enough to realise that it was in the interest of Congress that he should be on its side. It was said to be this reason that Pt. Nehru cast himself in the role of a friend and supporter of

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Sheikh Mohammad Abdullah. When Pt. Nehru decided to visit Kashmir in May 1940, Sheikh Mohammad Abdullah at once extended invitation to him to be a guest of National Conference. Pt. Nehru however, visited Kashmir on May 30, 1940 alongwith the Khan Abdul Ghaffar Khan. He toured the valley for ten days and advised Hindus to join the National Conference and strengthen the hands of the Sheikh Mohammad Abdullah[9]. Some of the Congress leaders, who visited Srinagar in the summer of 1944 and 1945 were too hosted by Sheikh Abdullah. They also tried to cement their personal and political bonds with him[10].

The National Conference leaders, on the other hand, closely watched political wind in the country particularly from 1934 to 1945 i.e. during World War Second and correspondingly evolved their future strategy and plan of action. Though things were still in a flux, they were clear in their goals, achievement of a socialistic pattern of society through democratic processes and strengthening of forces of secularism[11]. In fact, the Economic Wing of the organisation prepared a tangible reliable programme called "Naya Kashmir."[12]

Just after his release from Ahmadnagar fort in July 1945 Pt. Nehru and a few other top congress leaders like Maulana Abdul Kalam Azad, Khan Abdul Ghaffar, mr. Asaf Ali, Mian Iftikhar-Ud-Din went to Kashmir for health reasons. The National Conference arranged a river procession in Srinagar in their honour. Pt. Nehru and other Congress leaders were then formally invited to attend the forth coming annual session of the National Conference to be held at Sopore. Most of them including

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Pt. Nehru attended the session. In their speeches Pt. Nehru and Khan Abdul Ghaffar Khan paid generous tribute to Sheikh Abdulla's qualities of leadership. They also supported the demand of self-rule made by the National Conference[13].

Although sheikh Mohammad Abdullah was never trusted by the more conservative Congress leaders like Sardar Patel yet he succeeded in gaining the confidence of Pt. Nehru who, perhaps because of his Kashmiri origin, looked upon Kashmir as his special sphere of interest[14].

A meeting of the All India States People Conference was, therefore, held at Sopore-fifty kms. north of Srinagar in October 1945. Whereas Pt. Nehru presided over the Conference and other eminent political personalities like Khan Abdul Ghaffar Khan and Maulana Abul Kalam Azad participated in the deliberations. There was complete identity of views between the Indian National Congress and the All J&K National Conference. The majority of the National Conference members were drawn to the secular, democratic and socialistic ideals of the national mainstream symbolized by the Indian National Congress. They rejected the two-nation theory of The All India Muslim league. The Congress leaders told the people that the National Conference was the sole representative body of the masses of the State[15]. The National Conference leaders were then admitted to the All Indian State People's Conference which Congress had set up in various States as a common platform for continuing the political movement against princely order and which was a sort of counterpart in the Indian States of the wider anti-British movement of the

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Congress[16].

During World War Second, however, the Indian Muslim League and the Indian National Congress vigorously started spreading their net in Kashmir because of the then changing of political pattern in British India.

Khan Abdul Ghaffar Khan and Mr. Asaf Ali visited Srinagar even d during Quit Kashmir Movement of May 1946 when Sheikh Mohammad Abdullah and many of his followers were arrested on the charges under section 124(A). Pt. Nehru vehemently condemned the policy of oppression resorted by the State Govt. Some correspondence and telegrams were exchanged between the Maharaja of J&K and Pt. Nehru in which Pt. Nehru expressed the absolute necessity of releasing of Sheikh Abdullah forthwith and withdrawal of prosecution against him[17]. When Maharaja did not agree, Pt. Ji informed him through a telegram on June 19,1946 that he was reaching Srinagar on June 19,1946 along with a number of lawyers to defend Sheikh Abdullah. He had taken this decision individually as President of the All India States People Conference on his own responsibility.He did not even consult the Congress Working Committee. The State Government banned his entry in the State. Characteristically, Pt. Nehru decided to defy the ban and to enter Kashmir from Punjab via the Kohala bridge. Those were the days when the British Statesmen were holding negotiations with the Indian Leaders to find the modus operandi for transferring power to Indians in spite of the hectic political activities.

Pt. Nehru left Delhi for Srinagar on June 16,1946 along with three eminent lawyers -Dewan Chaman Lal,

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Mr. Asaf Ali and Mr. Baldev Sahal. At Rawalpindi on June 20,1946 about three hundred Congress workers joined them[18]. He was stopped in the midest of the Kohala bridge by Dogra troops with fixed baynets, when he refused to be cowed down and fearlessly walked across and pushed the baynets aside. Major Bhagwan Singh, being a tactful and intelligent man, ordered his troops aside and he was permitted to make forced entry in the State territory[19]. He walked for a short distance before boarding a car which speeded towards Srinagar. He was stopped at the Domel customs post twenty two miles away and served upon a warrant of arrest. He was then taken to a Rest House at Uri where he spent two nights. A State car was placed at his disposal. He was told that he was free to return to British India at any time at his will but he insisted upon visiting Srinagar. Even the telephone facilities were made available to him. He talked to Maulana Abul Kalam Azad who advised him to return to Delhi as the Congress Working Committee had taken the matter into its hands. He was also informed that his absence was hampering negotiations for the transfer of powers. At the request of Maulana Azad, Lord Wavell sent a plane to Srinagar which brought Pt. nehru and Asaf Ali to Delhi on 22nd June, 1946. The Congress Working committee then prevailed upon the State Government to lift the ban and allow Pt. Nehru to visit Srinagar. This was done and Pt. nehru reached Srinagar on July 24,1946 and had a long meeting with Sheikh Mohammad Abdullah at Badami Bag Cantonment. He returned to Delhi within a few days. He then sent Mr. Asaf Ali, a brilliant barrister and a member of congress

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Working Committee to defend Sheikh Mohammad Abdullah who was being tried under section 124(A) (Treason) Ranbir Panel code.Pt. Jia Lal Killam assisted the defence[20].

In spite of the fact that Mr. Asaf Ali made a spirited defence, Sheikh Abdullah was sentenced to nine years simple imprisonment and a fine of rupees five hundred. The Congress Working Committee's Resolution on Kashmir dated September 25,1946 deeply regretted the sentence passed on Sheikh Abdullah and also expressed their sympathy for all those who had suffered or were suffering for the cause of freedom in Kashmir.

It may not be out of place to mention that Mr. Ram Chandra Kak- the then prime Minister of the State in his letter to Sardar Patel of September 12,1946 mentioned that total number of persons arrested in this movement was 924. There were 106 persons then under detention, out of which 55 were undergoing imprisonment for various offences, 47 were under trial and only in six cases the sentences exceeded six months. The rest had been released.

On the other hand, Mr. Mohammad Ali Jinnah, the President of the all India Muslim League too visited Kashmir in May, 1944 and stayed there upto 25 July, 1944[21] with the purpose of rest and recreation. But according to Mohammad Yusuf Saraf Sheikh Mohammad Abdullah, after consultations with his colleagues such as Mirza Mohammad Afzal Beg, Maulana Mohammad Saeed Masudi, Khawaja Ghulam Mohammad Sadiq and Bakashi Ghulam Mohammad decided to invite Mr. Jinnah to Srinagar in early 1944 to bring about a compromise between the All

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J&K National Conference and the All J&K Muslim Conference. Khawaja G.M.Sadiq and Maulana Saeed, thereupon, met him at Delhi. This was followed by a long meeting between him and sheikh Mohammad Abdullah. The Sheikh's representatives met him again at Lahore. Sheikh Mohammad Abdullah was said to have invited Mr. Jinnah to Srinagar. It was also said that he had a standing invitation from the Muslim Conference also to visit srinagar[22]. This was the time when the All J&K Muslim Conference had lost its nerve and it was left only in name in the valley, but a political force in Jammu Division. He was given a warm reception on behalf of the National Conference and its leaders. Sheikh Mohammad Abdullah, G.M.Sadiq and Maulana Saeed Masudi welcomed him on the outskirts of the Srinagar city[23]. The President of the National Conference Sheikh Mohammad Abdullah, himself presented an address of welcome to him in Partap Park, Srinagar. He had several meetings with leaders of the National Conference and the Muslim Conference[24]. He had also long meetings with Mr. Jinnah. During this long meetings Mr. Jinnah all along persuaded Sheikh Mohammad Abdullah to take up the leadership of the Muslim Conference instead of the National Conference. But Sheikh Abdullah strongly believed that since struggle against the Maharaja in the name of Muslim Conference was being construed as a sort of communal movement, it was in the interest of the Kashmiri Muslims that they should carry their movement in the name of the National Conference[25]. Sheikh Abdullah told Choudhari Ghulam Khan that there was no chance of any change in their political

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conviction[26].

Being a shrewd politician he was quick to perceive that the political wind in the valley was blowing towards secularism. He declared that the "Muslims have one plateform, one Kalama and one God." I would request all Muslims to come under the banner of the Muslim Conference and for their rights." This provoked a sharp reaction from Sheikh Abdullah. He told his people. "The ills of the land can only be remedied by carrying Hindus, Muslims and Sikhs together[27]."

The local leaders of the Muslim Conference tried to convince Mr. Jinnah that Sheikh Mohammad Abdullah was, in reality, with the congress and the All J&K National conference was a branch of The Indian national Congress. Mr. Jinnah, therefore, passed bitter remarks against Sheikh Abdullah and called him and his co-workers " a band of gangsters[28]." All this led to the creation of strong differences between them. The National Conference leaders, therefore, requested Maharaja to ask mr. Jinnah to leave Kashmir immediately. The political clash between the National Conference leaders and the President of the all India Muslim league turned into prolonged animosity between them and the congress party said to have derived much gain out of it[29]. The People of Kashmir, thus, openly rejected Mr. Jinnah's two-nation ideology and theocratic basis of a State[30].

Sardar Vallabhbhai Patel in his letter to Mr. R.C.Kak, the then prime Minister of the J&K State, dated April 11,1947, however, wrote to him that the time was then ripe to reconsider the attitude towards Sheikh Mohammad Abdullah and his colleagues who were

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in Kashmir jails[31]. In his another letter to him dated July 3,1947 Patel once again advised him to reconsider whether Sheikh Abdullah should continue to remain in jail or released without any delay[32]. In a letter to Sardar Patel M/s. Ramadhar-Secretary, All India Spinners Association dated July 14,1947, who was at Sriangar, informed him that Maharaja of Kashmir had given him a word that general amnesty to be proclaimed within a week or ten days time[33]. Sardar Patel in his letter to Pt. nehru dated July 18,1947 informed him that he had written a letter to mr. R.C.Kak about the release of Sheikh Abdullah and other workers of the National Conference and enclosed a copy of reply which he had received[34]. Pt. nehru in his letter to Sardar Patel dated September 27,1947 stressed the urgency in the then existing alarming situation in the J&K State, the Maharaja to release Sheikh Abdullah and the other National Conference leaders without delay, to make a friendly approach to them, seek their cooperation and make them feel that was really meant, and then to declare adhesion to the Indian Union[35]. Maharaja had then proclaimed general amnesty and Sheikh Abdullah and his other colleagues were released on September 29,1947[36]. Sardar Patel in his letter to maharaja dated October 2,1947 expressed his pleasure on the released of Sheikh Abdullah and other workers of the National Conference[37].

There, then, followed a rapid changes in the history politics of sub-continent. British India was partitioned and two new dominions Pakistan and India came into being on August 14 and August 15,1947 respectively.

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The partition was followed by a large scale communal massacres. Maharaja signing stand still Agreement with Pakistan, Pakistan not only putting undue stress on Maharaja to acceded Kashmir to that country but creating the tension in the region, sealing two main routes leading to kashmir and stopping the supply of essential commodities to the State[38]. Some borders areas of the State had also witnessed skirmishes between the Dogra Army and the Muslims. The Kashmir Valley, under the dynamic and inspiring leadership of Sheikh Mohammad Abdullah, who had very powerful grip over the people, maintained communal harmony and order[39].

Soon after his release the issue of Kashmir accession to India or Pakistan assumed serious dimensions. As said earlier some Pakistani leaders came to Srinagar to talk to Sheikh Abdullah during this period and felt much disappointed after having met him[40]. As a follow up, a National conference delegation led by mr. G.M.Sadiq also went to Lahore to hold talks with leaders of the Muslim League[41]. On one hand the delegations members were busy in meeting the League Leaders, on the other Khawaja Ghulam Nabi Gilkar announced the formation of a rebel Government for Jammu and Kashmir on October 4,1947. He then went to Srinagar. Even before his announcement Pakistan Radio started broadcasting mischievous and false propaganda[43]. The law and order situation in the valley was dangerous and deteriorating. The Muslim league in the Punjab and the N.W.F.P. were making preparations to enter Kashmir in considerable numbers because the then approaching winter would cut off valley from rest of India[44].

Mirwaiz Moulvi Mohammad yusuf too left for Srinagar by road but he could not come beyond Mura. The national Conference delegation gone to Lahore for talks two returned half hartedly.

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Once again I may add that

Sheikh Mohammad Abdullah was very anxious to keep out of Pakistan[45]. He and his close associates had then decided for Indian Union.. He was delivering speeches to educate public opinion and to prepare people for what seemed to be inevitable decision of the National Conference. He stressed, that killings of Hindus and Muslims were un-Hindu and un-Islamic, that the issue of State accession could not be decided by a religious sentiment and the friends and sympathisers of Kashmiris during those years struggle or suffering had seen Gandhiji, Pt. nehru and the Congress and not the Muslims or the League or Mr. Jinnah. The attempts were, thus made to show that Jinnah and the league had done great harm to the popular movement in Kashmir and that the objective of the league and Mr. Jinnah was the preservation of the princely order and feudal oppression. Sheikh Mohammad Abdullah and his associates emphasised that the objective of the Kashmir National Conference was the attainment of people's sovereignty with the Maharaja enjoying a constitutional position and that would be the main factor determining the decision of the conference in the matter of accession. In other words, they would join the Dominion which would enable them to achieve these objectives or help them in the achievement of their objectives[47].

A day after the appointment of Mr. Mehar Chand Mahajan new Prime Minister of the State on October 15,1947, Sheikh Mohammad Abdullah suddenly left for New Delhi. During his one week stay there he met Gandhiji, Pt. nehru, Maulana Abul Kalam Azad, Mr. Rafi Ahmed Kidwai, Mr. Asaf Ali and Sardar Patel. The accession

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document covering subjects relating to defence, communications and Foreign Affairs, sent by Maharaja to the Government of India also came under discussion while the talks between Sheikh Mohammad Abdullah and Indian leaders on the future of Kashmir State were in progress when General Auckinleke the Supreme Commander of Indo-Pakistan joint army informed the Government of India that 5,000 tribesmen had launched an attack on J&K State, Pt. Nehru informed Sheikh Abdullah accordingly. This followed by a meeting in which Lord Mountbatten, Pt. nehru and Sheikh Abdullah participated. It was then agreed that the instrument of accession of the State with the Union of India was acceptable to the government of India as temporary and provisional which at the appropriate time be referred to the people of State for ratification[48].

Just after the accession of the State to Indian Dominion on October, 27,1947 which Pak government characterized as based on fraud[49], and violence and as such it could not be recognised, Sheikh Mohammad Abdullah was appointed as the Head of Emergency Administration the very next day[50]. Moreover, at a very early state of the tribal invasion Radio Pakistan announced the formation of provisional government of Kashmir as "Azad Kashmir Government" somewhere in Poonch under Mohammad Ibrahim[51]. When Lord Mountbatten, on November 1,1947 suggested that a plebiscite would be held in the State, Mr. Jinnah objected and said that with the presence of Indian troops and with sheikh Abdullah in power, the people of the State would be far too frightened to vote for Pakistan[52].

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INTEGRATIONALIST MOVEMENT IN JAMMU REGION

As already pointed out that the struggle for freedom and democratisation of the State administration in Jammu & Kashmir, which went back to the years of thirty's, had its origin in the widespread discontentment among the Muslim masses who then comprised ~~of~~ 78% of the population of the State and 89% of the population in Kashmir valley. The Muslims had very inadequate representation in the State services as well as in the economic and industrial life of the State. The bulk of the Muslim population were tillers, labourers and were the target of the exploitation. Agrarian discontentment and paucity of employment opportunity ~~were~~ has the motivating force for the Muslim masses to agitate against the Dogra regime.[1] The struggle for freedom in Kashmir, entered its crucial stage when the famous 'Quit Kashmir Movement' i.e. ~~the for~~ the transfer of powers to the people, was launched by the All Jammu and Kashmir National Conference in 1946. The State bureocracy was then bewilered at this new slogan and full of vengeance decided to crush the movement. Inspite of the reign of terror, arrest, prosecutions and deaths, the movement was ~~of~~ a great success.

The popular sentiments in Jammu region believing the Hindu Maharaja as a symbol of security against the majority population of Kashmir region, however, sided with the Maharaja in his attempt to retain more and more power in pre-independence days. It then seemed to Dogra Nationalists that prospect of Democracy in the State would be nothing more than being exposed to the whims of paramount majority of the State and its leadership.[2]

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However, just after the partition of British India, most of the princes of Indian States, acting in accordance with the provisions of the Cabinet Mission Plan[3] as well as keeping in view the considerations of geographical contiguity of their respective States, exercised their choice and acceded either of two, the then newly created dominions - India and ~~or~~ Pakistan.[4] Some of these State which thought of going against their geographical positions, economic needs and historical and cultural affiliations were soon compelled by their people to make the correct choice.[5]

When the Maharaja of Jammu and Kashmir who could not make decision about the accession because of demographic and geographical considerations and entered stand still Agreement with Pakistan, did not bow before the Pak pressure to accede to it, a massive attack in the form of Tribal invasion on Jammu & Kashmir State was launched by the Pakistan forces ~~xx~~ on October 25, 1947 to force its outright annexation. On October 15, 1947, thousand of armed Pakistanis comprising frontier tribesmen and aided by Pakistan army regulars in civilian clothes invaded Jammu and Kashmir and committed atrocities on the people. Pakistan organised a combined force consisting Tribals as well as personnel from its own army under the code name of 'Operation Gulmarg', devised, planned and led by Major General Akbar Khan (who had assumed the name of General Tariq) assisted by Brigadier Sher Khan. The situation in Kashmir deteriorated further. The Maharajas role aim was to same his State at any cost. The Maharaja was, therefore, forced to offer the State accession to Indian Dominion,

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which, alongwith Pakistan, became independent, self-governing dominion within the Commonwealth of Nations, on August 15, 1947.

After the Instrument of Accession was accepted by the Government of India and the State had acceded in Defence, Foreign Affairs and Communications, the Prime Minister of India agreed with the then Prime Minister of Kashmir - Mr. Mehar Chand Mahajan - that the military assistance would be extended to the Maharaja on the conditions that the internal administration of the State was democratised, that Sheikh Mohammad Abdullah was given the charge of State's administration and was made to shoulder responsibility alongwith the State's Prime Minister for the conduct of governmental affairs. Sheikh Abdullah was, however, not entrusted with the actual power until Indian forces had occupied the State territory beyond Uri and the Tribales had retreated.[7]

He also made it clear to Government of India that since Maharaja and his Prime Minister were responsible for the massacre of Jammu Muslims, both of them should quit the Office of the Administration was to go on smoothly.[8] By March, 1948, Mr. Mehar Chand Mahajan - the then Prime Minister of the State - was removed and Sheikh Abdullah took over as Prime Minister of the State in April, 1948.[9]

The Maharaja of Kashmir, who was persuaded by Sardar Patel and Gopal Swami Ayyander - the then Home Minister and

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the Minister of States of India respectively to abdicate in favour of his son in May, 1949, left the State for health reasons after entrusting to Yuvraj Karan Singh all power and functions in regard to State by appointed him as a regent.[10] After Maharaja Hari Singh's exit, Sheikh Abdullah and his National Conference became unquestioned political power in the State.

Soon after assuming powers, the National Conference leadership started accusing the Dogras of Jammu for massacring their Muslims brotherns in Kathua, Udhampur, Riasi and Jammu in 1947 without expressing even a word in the sympathy of Hindus massacred in Mirpur, Bhimber, Rajouri, Kotli and other places during that period.

In October, 1948 Pt. Nehru in a public speech at Lal Chowk, Srinagar, reaffirmed "that the only purpose for which the Indian army had entered the State was to clear it of the raiders and that it was India's cardinal policy that the people of State should decide through an impartial plebiscite whether they wanted to accede to India or Pakistan.[11]

After getting power, the National Conference Government led by Sheikh Abdullah, however, started the process of fulfilling its politico-socio-economic commitments made to the people of the State during its freedom struggle as well as incorporated in the Naya Kashmir programme of the party also. As a result the popular Government enacted the most desirable and progressive politico-socio-economic reforms viz. Grant of

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Fixity of Tennure to the Tenants in respect of Tenancy Holdings; Fixation of the Maximum Rent payable by the Tenants to their Landlords; providing for Summary Reinstatement of the Tenantes, who had been wrongly ejected, Restitution of Mortgaged properties; Relief to the Distrust Debtors. Abolition of Jagirs, Muaffies and Mukararies, the Big Landed Estates Abolition Act, 1950 etc. etc. All these measures had hit hard the economic interests of the Hindus of Jammu and adversely affected the economy of Jammu region, which further aggravated the hatred between Dogras of Jammu and Kashmir Nationalists of the valley.

Moreover, the open and repeated condemnation of the Dogra Hindu rule and its rulers in the State, with whom the Dogras of Jammu had sentimental attachments, even after the establishment of popular Government by the National Conference leadership, not only hardened distrust of Jammu masses against them but also caused growing resentment in Jammu. In addition, the masses of Jammu complained the step-motherly treatment to their region in matter of economic development and deliberate denial of sharing of political powers.[12] The politics of the State then began to experience a new dimention - the politics of autonomy versus complete integration. The desire of the people of J & K for an autonomous State had figured in Kashmir politic long before the State acceded to India in 1947. That was why the Maharaja of Kashmir said to have surrendered only Defence, Foreign Affairs and Communications to the Government of India and in rest of the spheres he chose to be limited and independent. This kind of accession is called '~~linked~~

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accession' and it was endorsed by its people through their recognised leaders. The Muslims who could oppose it had been led to believe that there was a bright, glorious, prosperous, promising and safe future for them in going with India.[13]

On April 14, 1949, Sheikh Mohammad Abdullah was, however, reported to have given an interview to Michael Davidson and Ward Prince opting for an independent Kashmir as the best solution of the Kashmir problem. He demanded an immediate withdrawal of the officers who had so informed the Central Government. Pt. Nehru then deputed Mr. B.M. Malik - Asstt. Director of Indian Intelligence - for an enquiry while rejecting the views of those who charged Sheikh Abdullah of having supported the accession to India due to the pressure brought upon him by ~~tribal~~ tribal attack and not by his sincerity, Mr. Mullik reported to Pt. Nehru that "the accession to India was not a fortuitous decision brought about by the fear caused by the unprovocked invasion of the territory by Pakistan raiders, but was based on ideological grounds; and so when India was partitioned and Kashmir had to choose between India and Pakistan, Sheikh Abdullah would have chosen India, while insisting on a ~~special~~ special Status for the valley.[14]

Sheikh Abdullah, in order to remove the fear of life, honour, property and the sence of insecurity about the future of Muslims of the State and to ensure future security and protection to his co-religionists, publically voiced for limited accession of State to India. The National Conference

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leadership was of the view that "The freedom-loving people of Kashmir joined India on the condition that the State of Jammu and Kashmir must have a special status and the fullest autonomy so that the Muslim majority in the State may feel assured that Hindu dominated India was not going to interfere in their internal affairs.[18] 15 Even Pt. Nehru had committed to the world and to his own nation in a broadcast on November 2, 1947 that the fate of Kashmir was ultimately to be decided by the people of the State.[19] 16

Moreover, in order to give clean administration which enjoyed people's confidence, Sheikh Abdullah started pruning anti-national elements from the State administration. All this necessitated the charges in the State administrative set-up. The transfers of officials from one place and position to the other and placing men of confidence at strategic position. All these matters were vehemently opposed by the Hindus population of Jammu.[20] 17 Besides, Sheikh Abdullah, in a public speech on Martyers Day in Srinagar, once again reiterated the people's right of self-determination. He added, "Kashmiris only will decide about Kashmir. Self-determination is the motto of democracy. We regret that Kashmiri people are not given opportunity for self-determination.[21] 18

Hence, Sheikh Abdullah's repeated accusation of Dogras of Jammu for massacring Jammu Muslims, his anti-Dogra bias; condemning Dogra ruler as alien in the Valley during freedom struggle, Quit Kashmir Movement of 1946, which Dogras

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of Jammu viewed as an attempt to eliminate their influence from Kashmir, his relentless advocacy for the principle of self determination for Kashmiris and etc. etc. made National Conference not only a suspect in the eyes of Jammu Hindu who would have liked Jammu rule Kashmir rather than Vice-versa but further aggrevated the hatred between Dogras of Jammu and Kashmiri Nationalists of the Valley. All the anti-Jammu policies of the National Conference were vehemently criticised by the Hindus population of Jammu. In the absence of a powerful Hindu ruler and in search of security against the majority community of the State, the people of Jammu region, decided to organise themselves to fight for their own rights and to safeguard their interest - economic and political.

In short, the strain and stresses of fast moving political events in 1947 and just after, the shift of political power from Jammu to valley, a reaction to the aggressive trends in the local ~~naturialism~~ nationalism in Kashmir, a protest of a region which felt politically ignored and condemned not only hardened distrust of Jammu masses against Kashmiri Nationalists and caused growing resentment in Jammu but also gave rise to a popular movement in Jammu region. Dogra nationalists of Jammu, believing their greater security to be within Indian Union, demanded full integration of Jammu and Kashmir State with India. Thus, as a result of rise of regional nationalism in Jammu, a regional and a largely Hindu dominated political party - the All Jammu and Kashmir Praja Parishad - came into being in November 1947 on R.S.S.[22][19] base with the objective to develop political consciousness among the people of Jammu and also to safeguard their regional interests against the onslaught of Sheikh Abdullah and chaovnistic attitude of his party.[23][20] Professor Balraj Modhok, who was born

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in 1920 at Skardu in the Ladakh division of the State, taught at the Srinagar Dayanand Anglo Vedic College, joined the R.S.S. as a youngman, a rallying point for R.S.S. activities during fighting between India and Pakistan in 1947, was an instrument in founding the party.[21] He became its first general Secretary and Hari Wazir was its first President. Wazir was succeeded by Lala Rupchand Nanda. His successor was Pt. Prem Nath Dogra, who was born in Jammu in 1883, prematurely retired from State service, ex-member of the Praja Sabha - the first State Legislature - ~~Sarghachalak~~ Sar Sanghchalak of the R.S.S. in the State from the time of its formation until it was banned in 1948[22] and continued t to be its President until it merged with Jana Sangh.

Although the R.S.S. constituted the backbone of the party, yet prominent leaders representing different sections of society also ~~xxx~~ formed its support base. The party also got support from the expropriated landlords, who had lost their big-land estates without compensation and other communities of Jammu region who regarded the National Conference as anti-Dogra and anti-Maharaja.[23] There were then two main sections in the party. One section serving the cause of nationalism consisted of Roop Lal Nanda, Shiv Ram, Chatru Ram Dogra, Hari Wazir, Shri Bachan Singh Panchi, Sheikh Abdul Rehman, Madan Lal, Hakikat Singh, Dhanwanter Singh etc. The other serving the cause of Hinduism were Pt. Prem Nath Dogra, Rishi Kumar Kaushal, Shri Bhagwat Swaroop, Th. Baldev Singh, Dr. O.P. Mengi, Milkhi Ram, Durga Dass Verma, Balraj Madhok, Dr Ved Parkash Gupta, Sham Lal Sharma etc.[24]

The party believed in the ideology of Akand Bharat and supported a strong unitary state of India. It regarded that the Instrument of Accession signed by the Maharaja of Jammu and Kashmir

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and Governor ~~of~~ General of India ~~a~~ way back in October, 1947 was final, complete, legally valid and beyond question.[25] The party, therefore, was of the view that Kashmir in its entirety belonged to India and there was no question of a plebiscite in the State and the only matter remained to be settled was the full and complete evacuation of Pakistan from the area illegally occupied by her. While seeking security in the ~~relaxation~~ retention of the Maharaja as a constitutional head of the State, the party outrightly rejected the limited accession of the State ~~with~~ to Indian dominion. The party then outrightly rejected the adoption of Article 370 of the Constitutional of India, which conferred a special status on the State and granted permission to the State to have its own constitution. The party demanded the application of the Constitution of India on the State in its entirety. It, therefore, sponsored a campaign for abrogation of Article 370 of the Indian Constitution believing that the erosion of the Special Status to the State would eventually lead to the transfer of power from Srinagar to Delhi which would reduce the former's capacity to dominate over Jammu.

The All Jammu and Kashmir Praja Parishad, thus, became not only the Principal opposition party of Jammu region, the local instrument of its protest but also a party to spearhead the integrationist movement at the regional level.

Sheikh Mohammad Abdullah was totally against the full application of the India Constitution ~~on~~ to Jammu and Kashmir. In order to counter the All J & K Praja Parishad he declared[26]

"If there is no special status for Kashmir in Indian Constitution, how can we go to Muslims in Kashmir and

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convince them that India does not interefer in the internal affairs of Kashmir.... We have acceded to India in regard to defence, foreign affairs and communications and not in respect of other subjects because we wanted ~~one~~ some kind of autonomy for ourselves in internal matters."

When the Security Council of United Nations organisation, to whom the question of Pakistan's aggression on Kashmir was referred, found itself incapable of arriving at a decision in the near future, the people of the State were left to themself/es to find ways and means to put an end to the agony and uncertainty & to which they were then placed. Even Sir Owen Dixion's report was against the very objective on which the people of J & K State reposed faith in U.N.O. Thus, in order to put an end the State of uncertanity, wait and see, frustration and agony and fully recognising the right of self determination of the people of the State, the General Council of the All J & K National Conference issued a mandate to the Supreme National Executive of the party on October 27, 1950 to convene the Constituent Assembly based upon adult suffrage and embracing all section of the people and all constituents of the State for the purpose of determining the future shape and affiliations of the State of J & K.[32]27

The All J & K Praja Parishad and the All J & K Sahayak Sabha ~~critised~~ criticised and condemned such a move when all the political parties of the State had already given a unanimous verdit for its accession to Indian Union. They regarded it another move for an 'Independent Kashmir'.[33]28

On the other hand, in order to prove the plebiscite in Kashmir ~~redundent~~ redundent in the light of democratic set up, Govt. of

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India too agreed with the All J & K National Conference to convene its Constituent Assembly for framing its own Constitution which was thought to be the first important landmark towards making Jammu & Kashmir an autonomous State. It was also in consonance with the programme of Naya Kashmir ~~to~~ which the National Conference was committed to implement.[29]

The Working Committee of the All J & K Praja Parishad unanimously passed a resolution on March 10, 1951 praying the Govt. of India to delete Article 370 ~~in~~ from the Constitution of India and requested the Government of Jammu and Kashmir to recommend its deletion. The Parishad leaders also demonstrated against it by organising protests, hartals and public meetings that they were not at the back of this sinister move of separation of the State from Indian Union rather they openly opposed it.[30]

Meanwhile Yuvraj Karan Singh, the Regent of Jammu and Kashmir State and the son of His Highness Hari Singh - the last Dogra Maharaja - issued a proclamation for the convening of the ~~Constitute~~ Constituent Assembly on April 30, 1951.[31] The All J & K Praja Parishad, which had previously criticised the convening of Constituent Assembly to draft a separate constitution for the State, at its working Committee meeting on May 8, 1951 decided to contest the election and demanded representation in Delimitation Committee, which ~~was~~ consisted of Mr. Justice M.A. Shahmiri - a Judge of the J & K High Court - and four other members of the rank of Dy. Commissioners from Revenue Department. Soon after its leadership charged the National Conference and its Government of malafide tactics, number of irregularities and dubious methods in Jammu elections.[32] Pt. Prem Nath Dogra, ~~the~~

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President of the party in a press release at Delhi on October 6, 1951 mentioned the following malafide tactics used by the Government :-

i) Not holding elections in the provinces of Kashmir and Jammu simultaneously;

ii) Irregular Delimitation;

iii) No general seat in three constituencies;

iv) Out of the way polling stations;

v) 41 out of 65 nominations of Praja Parishad candidates being rejected on the most flimsy grounds;

vi) Favour towards the National Conference candidates; and

vii) official interference."[33]

He also met Mr. Gopala Swami Ayyanger, the then Minister of States, and reported about all these irregularities and made following suggestions[34] :-

i) To hold an independent, judicial inquiry into the rejection of the nomination papers of the Praja Parishad candidates in all the 27 constituencies from where it had originally put up its candidates;

ii) To appointed some Supreme Court Judges to conduct the elections in Jammu, to assure ~~projekk~~ perfect ~~impartiality~~ impartiality; and

iii) To prevent Government servants from working for candidates of any party in the State.

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The General Secretary of All J & K Praja Parishad in a letter to State Election Commission dated December 5, 1951 made the similar complaints.[35] The party's Working Committee met on September, 1951 in Jammu and adopted a resolution, giving an ultimatum to the Government to set right the deliberate rejections of Party's candidates uptil September 27, 1951 moon, failing which it might go to the extent of boycotting the elections.[36] The party ultimately in a telegram to Prime Minister of India on October 12, 1951 boycotted the election under protest. The Constituent Assembly, therefore, consisting of 75 National Conference nominees as its members.

Meanwhile a few Pro-parishad students staged a demonstration and registered a protest against the hosting of the National Conferences flag in a function held at G.G.M. Science College on January 5, 1952.[37] This led the arrest of Pt. Prem Nath Dogra and other parishad leaders. The Head Lama of Ladakh Kushak Bakula said..... "Kashmir valley might in case of a U.N. plebiscite, choose to opt for Pakistan. In that case... there can be no question of Ladakh being dragged into Pakistan.... Ladakh... would sooner join Tibet."[38] He further suggested.....the break up of the present territories of the State of Jammu and Kashmir into Kashmir valley, Jammu and Ladakh- with the first continuing its present status and the latter two according to Bharat as directly and fully as any other constituent of our federation seems the only way out of the perplexities of the people of Jammu and Ladakh.[39]

On the other hand Mirza Mohd. Afzal Beg, the then Chairman, of the Basic Principles Committee declared in the Kashmir Consembly on March 24, 1952 that the State of Jammu and

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Kashmir would be an autonomous Republic within the Indian Union, with a separate president, National Assembly, Judiciary, Regional autonomy and a separate citizenship.[40] Beg's statement was deeply resented not only in Jammu and Ladakh but throughout India and it created serious apprehension about the credibility of the National Conference leadership. Mr. Durga Das Verma, the then General Secretary of the Praja Parishad said, "We have decided to pool all resources to fight against the dangerous designs of the party in power which wants to make the State a sovereign Republic.[41]

Mr. N.G. Ayyanger, the then Minister of States of India, who visited Jammu in April 1952 to study the situation and to cool passions, advised the framer of the State Constitution to be practical and not led by shibboleths and theocratic ideas and rather display a measure of political wisdom.[42] At this instance the Parishad leaders were released. As a result the National Conference leadership in general and Sheikh Mohammad Abdullah in particular felt ~~by such~~ this as a central intervention.[43] The subsequent political developments, activities and utterances of even some of the top National Conference leadership had encouraged the disruptive forces to make a fresh attempts to disintegrate the State. Sheikh Abdullah was said to be drifting away from the rest of India and even Jammu and Ladakh regions. In a sensational speech on April 10, 1952 at R.S. Pura Sheikh Mohammad Abdullah, while referring to 'unrealistic, childish and ~~insane~~ insane" arguments for full application of the Union Constitution to the State, he said :

"No one can deny that the Communal spirit still exists in India. Many Kashmiris are apprehensive as to what will

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happens to them and their position if, for instance, something happens to Pt. Nehru....As realists, we Kashmiris have to provide for all eventualities. If a special status for Kashmir was not granted in Indian Constitution, how can we convince the Muslims in Kashmir that India does not interfer in the internal affairs of Kashmir? We have acceded to India in regard to defence, foreign affairs, and communications in order to ensure a sort of internal autonomy....If our right to shape our own destiny is challenged and if there is a resurgence of communalism in India, how are we to convince the Muslims of Kashmir that India does not intend to swallow up Kashmir.....Such developments might lead to a break in the accession of Kashmir to India.[44]

He repeatedly assured his people in Kashmir that he had never surrendered to Muslim communalism of Pakistan and would never surrender to Hindu Communalism of India.[45]

He further said :

"If Jammu and Ladakh so desire they can integrate with India and leave valley free to have a limited accession.[46]

In another speech on April 18, 1952, while addressing a mammoth public meeting at Hazratbal, he said that Kashmiris in no way were prepared to renounce their cherished ideology in furtherance of which they had affored blood and sweat during the two decades. He further added that Kashmir had acceded to India

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in respect of only three subjects - Defence, External Affairs and Communications and that they enjoyed complete freedom in their internal affairs and had the right to shape their destiny according to the wishes of the people.[47] In another speech at Hazaratbal on April 25, 1952 he, while discussing Indo-Kashmir relations, pointed out that the whole world was aware of their policy that the Consembly would decide three important issues - framing of Constitution, the future of the ruling dynasty and the accession of the State.[48]

These speeches caused an uproar in some parts of the State and the Indian press and the public opinion was also much agitated. Meanwhile the Constituent Assembly unanimously passed a resolution adopting a flag for the State replacing the Dogra flag on June 7, 1952. It also restricted the use of Union flag to formal occasion. Pt. Prem Nath Dogra in a statement said that the decision of the Constituent Assembly was narrow sighted and ill-conceived and reflected one party's ideology, that solely comprised the Kashmir Consembly. He further added that the provocative decision of Constituent Assembly had caused deep resentment throughout and particularly in the province of Jammu.[49] On the other hand an interim report recommending the abolition of hereditary monarch and the elected head of the state was presented to the Consembly by the basic principles committee on June 10, 1952[50] and it was unanimously adopted on June 12, 1952[51] While condemning such decisions the Praja Parishad leaders pointed out that the people of Jammu were being made to cry for self-determination, and that the will of the Kashmir valley people could not be forced on the people living outside it.[52]

In a 22 point memorandum submitted to the then President

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of India, Pt. Prem Nath Dogra - the President of the All J & K Praja Parishad on June 19, 1952 pointed out that recommendations to make Kashmir as an Autonomous Republic within Indian Republic with separate National Assembly, president and judiciary and subsequent speeches of Sheikh Mohammad Abdullah had made it clear that National Conference wanted a very loose relationship and not full accession like other Part 'B' States.[53] Pt. Prem Nath Dogra then left for Delhi to meet Pt. J.L. Nehru to appraise him the new situation created in the State.[54] A campaign was then started throughout Jammu province to get 5 lacs of signature in support of the memorandum to the President of India.[55]

Shri Amar Kshatriya Prantik Sabha, Jammu also resented these decisions and passed resolutions against them, the copies of which were sent to ~~the members of~~ Government of India.[56] The telegrams based upon the resolutions were also sent to the Prime Minister of India, Dr Katju, N. Gopalaswamy Ayyanger, Yuvraj Karan Singh and other top leaders of political parties of India.[57]

Praja Parishad leadership declared its opposition to separate head of the State (i.e. S-I-R), a separate flag for J & K State because these would encourage fissiparous tendencies, by keeping alive a feeling of separatism which would endanger future safety and security of India. The party, therefore, considered it essential that the State should be brought fully under the Constitution of India. 'Ek Desh Mein do Vidhan - In one country two constitutions; Ek Desh Mein Do Nishan - In one country two flags; Ek Desh Mein Do Pradhan - In one country two Presidents Nahin Challengay Nahin Challengay - will not be tolerated...." became the battle cry of the party.[58]

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The State Constituent Assembly, however, could not get the ~~satisfaction~~ ratification of the accession which Sheikh Abdullah thought was impolitic and inexpedient....without getting a prior reciprocal approval for the State's special status within the Indian Union which he felt was necessary to ensure the safety, security and well being of its Muslim Majority.[59]

In order to resolve the differences between the Centre and the State an official deputation of Kashmiri leaders was summoned by Centre on June 12, 1952 which arrived on June 17, 1952 and held a series of discussions with the Government in order to resolve the constitutional dead lock. Sheikh Mohammad Abdullah also joined them on July 17, 1952. Preliminary discussions were held from 12 June to 20 June, 1952, between the Government of India and Kashmiri delegation headed by Mr. M.A. Beg. A further discussion took place between Pt. Nehru and Sheikh Abdullah from July 16 to July 27, 1952. All this resulted in Delhi Agreement, 1952.[60]

This agreement India agreed and reiterated its solemn pledge to give the State a special status in its constitution. This would guarantee complete internal autonomy to the State. The hereditary ruler was to be replaced by an elected head of the State. The fundamental rights incorporated in the Indian Constitution were to be applied to the State, subject to the provision that they would not disturb the programme of land reforms. The jurisdiction of the Supreme Court was to be limited, as regards the State, to inter-state disputes, fundamental rights and to matters of defence, foreign affairs and communications. The Union Government agreed to the State's retaining its own flag, but insisted that the supremacy of the National flag should be

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recognised. The power to reprieve or commute death sentences would belong to the President of India.[61]

The Praja Parishad was of the view that Nehru-Sheikh Accord (Delhi Agreement of 1950) was another surrender at the alter of communal instransigence and separatism of Sheikh Mohammad Abdullah, a fraud on Indian people and an attack on Indian Constitution. Pt. Prem Nath Dogra declared that Praja Parishad would launch a satyagrah if the Agreement was enforced.[62]

On the other hand the inhabitants of Doda district too being much agitated and emphasized that as they had peculiar local problems and historically, geographically and culturally were quite different from their neighbouring unit, they could not in any way be attached with the cultural unit of Jammu. While stressing that they must be given the status of a separate cultural unit, they demanded the State to be divided into as many as five cultural units - Kashmir, Jammu, Poonch, Rajouri, Ladakh, and Doda - in the future constitutional set-up of the State. Each such unit legally having equal status would enjoy autonomy in the conduct of their internal affairs including maintenance of law and order within their own limits.[63]

There was a deep resentment in Ladakh also and events had taken somewhat similar turn as in Jammu. Kushak Bakula, the head Lama, voiced the feelings of the people of Ladakh when he declared that in the event of Kashmir drifting away from India the Ladakhis would break their connection with the State and merge with the Indian Union.[63]

On the other hand the valley too was not calm. An opposition group Awami Conference under the leadership of Kh. Umar

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Bhat was allowed to come into existence within the ranks of National Conference. Pro-Pak elements were also encouraged by happenings in Jammu and they demanded secession. The Nationalist group demanded maximum autonomy for the State. Regional sentiment helped to fragment popular discontent and regional tension brought the regional cordiality to an end.[64]

Criticising the Agreement in the Parliament Dr Shyama Prasad Mukerjee advocated Kashmir's complete integeration with India or alternatively self-determination for Jammu and Ladakh.[65]

Neither the Government of J & K nor the Government of India paid any heed to the Praja Parishad demands. On the other hand Sheikh Abdullah at once gave effect to those provisions of Agreement of 1952 which symbolised the separation of the State from India. But no further action was taken by the State Government with regard to its other provisions particularly the transfer of Control of the State telegraph and telephone departments to centre financial integration, application of fundamental rights, extension of jurisdiction of Supreme Court of India to the State. Sheikh Abdullah was, therefore, accused of ignoring those provisions of agreement which confirmed Kashmiri's ties with India.[66]

The people of Jammu had a number of grievances against the then State Government. These were as under[67] :-

1) The Prime Minister of Kashmir, Sheikh Mohammad Abdullah was an absolute stranger, a communal valley based leader who had "failed to win the confidence of the people of Jammu."

2) He (the Sheikh) wielded unrestricted powers with

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arrogance and that his administration was reflection of administrative corruption and political high-handedness which "began to percolate outside the State."

3) The special status given to Jammu and Kashmir State under Article 370 of the Indian Constitution kept under temporary provision was not acceptable to the Sheikh without giving the Article a permanent place in the said Constitution. But it was not accepted in the light of the fact of the limited accession of the State. Article became an anathema to the Hindus of Jammu who began to seek its abrogation from its very birth.

4) The Jammu Hindus also charged the people's Government with the allegation that the money flooded into the State from the Centre was utilized in the development of the valley and very little was spent in Jammu.

5) His demand for Independent Kashmir was also a reaction to growing Hindu chauvinism in India and Jammu.

6) Sheikh Abdullah was characterised as a rapid communist even by Nehru.

"Communism was a disease with him and he would never get rid of it, and his entire outlook and behaviour was based on the fact that Kashmir valley had a Muslim majority."

7) Valley based leadership had always remained a frog in the well with its narrow local nationalistic outlook. It could not extend its influence to other parts of the State. It had generated regionalism in all the three

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units of the State, Jammu, Kashmir and Ladakh and as such it failed to democratise the political structure of the State, safeguard the rights of the people therein as well as ensuring impartial administration of justice and guarantee them some sort of autonomy.

8) By the New Kashmir Plan of planned economy, the people of Jammu and the Kashmiri Pandits were "the hardest-hit materially as well as psychologically by Sheikh Abdullah's Plan."

9) Under New Kashmir scheme of abolition of landlordism by giving land to tillers and of forming cooperative associations, the Sheikh's Government first abolished the landlordism in April 1948. On July 13, 1950 the Government introduced land reforms in the entire State. The abolition of Big Landed Estates Act, 1950 made individual holding of more than 182 kanals illegal. The landlord was not allowed to keep more than 160 kanals of agriculture land, 8 kanals of land for vegetable gardens, 4 kanals on residential site and 10 kanals of orchards. The rest of the land was to be transferred to the actual tiller with proprietary rights. The abolition of the landlordism was done without compensation.

The main complaint of the minorities was that majority of the landlords and the Sahukars were Hindus to whom no compensation was paid. Besides, when the law was put to operation, it was found that most of the distributable land had already been alloted to non-deserving people. Thus one of the reasons for resentment among the Hindus

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against the Government was the abolition of landlordism done with the spirit of communalism.

10) It was also said that in spite of the generous flow of money into the State from the Government of India, the State had not been registering an advance in its economic growth with the result that due to constant strains and pressures, the Government found itself incapable of tackling issues. Its net result was discontent and crisis.

11) The Jammu people, it has been said, were deprived politically and economically. They were denied their due share either in the power structure or in the economic reforms. As a deprived section, all the Hindus were concentrated in Jammu province which became the centre of protest.

12) The demand for plebiscite voiced by the Sheikh in his public speeches, as promised by the Government of India and according to the United Nations' Resolution, was feared by the people in Jammu and Ladakh. The very idea of plebiscite hung like a sword of Damocles over their heads. They feared that the plebiscite, if allowed, would be in favour of Pakistan which they would at no cost agree to accept. The transfer of power from Jammu based Dogra House to the Valley based National Conference, headed by Sheikh, and his majority of coreligionists through democratically constituted could never be tolerated by the Hindus of Jammu Province who used to be always loyal to their ruler. They saw in

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the new shift a reversed regional power imbalance which generated in them a psychological vacuum to be filed only when the Sheikh could be removed.

13) The above factors were the root cause of the turmoil which distrubed the Jammu Province from the very beginning since in the parliamentary democracy, the rule of the majority prevails. It naturally went in favour of the Muslim majority population of the State which the Hindus had been fearing from the very beginning of the freedom struggle. In order to regain their erstwhile position now under the patronage and with the support of Hindus, India and also the Central Government, the Jammu people began, on one or the other pretext, to protest against what they called the Muslim dominance and tyranny. For this purpose they adopted the course of Hindu Chauvinism in the State. They, in fact, generated the regionalism in the State. The State after 1947 was faced with regional tensions which was the cause of secessionism in the Valley. Both these trends, the Hindu chauvinism and the Muslim sentiments which manifested "mutual adjustment" and form a process of commulative chain reactions.

14) In his interview toDavidson, the Sheikh advocated for an Independent Kashmir. "And, thanks to our Prime Minister, the Constituent Assembly, has already made Kashmir Independent through Article 370, which gives all powers regarding the State of Jammu and Kashmir to the Constituent Assembly of the State and the present

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cabinet and the President of Indian Republic will have no powers at all."

15) The Sheikh had declared July 13 as the official "Martyrs Day" all over the State, which the Hindus could never accept as such because for them "the Mohammadan agitation in Kashmir could not have flourished in the State and there would have been no Muslim Conference which was later named the "National Conference", led by Sheikh Mohammad Abdullah, who continues to be even today the Communist leader that he was in July, 1931."

16) The condition of the minorities in Kashmir was so better, if not worse, than that in Pakistan; only the methods employed were much more sinister.

17) The minority community had been deprived of all their professions or jobs or sources of income under one pretext or the other and everything was done in the name of New Kashmir.

18) As regards the Government services, the Sheikh's administration had totally changed the criterion of merit and efficiency required for the appointment and new promotions and appointments had been made indiscriminately without any criterion.

19) As regards the land, the share of landlords in the produce had been reduced from one half to one-fourth. But this too was not allowed to be given to landlords of the minority community by National Conference workers. Even those Hindu landlords who used to

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cultivate their lands themselves were no longer allowed to do it. Many fruit gardens belonging to minority community were brought to the ground. This led a large population to starvation and then to death.

20) As regards trade, since most of the important commodities had been converted into State monopolies and under control and those few things that were not under control could be freely imported to Jammu from where under system of priorities the members of the majority community could have permits very easily and only those Hindus could get permits who became a party to machinations of those who ran the entire supplies and transport departments. Also under the system of nationalised transport only those Hindus could get their goods transported who could manage things with powers that be.

In this context the All J & K Praja Parishad had, however, adopted the following eight-point programme for the acceptance otherwise they were to perform satyagrah[68] :-

1. Full integration of the State into the Indian Union;
2. If there was to be a limited accession of Kashmir then Jammu and Ladakh should be permitted to integrate fully;
3. The Indian Constitution to be applied to the State in full;
4. The Supreme Court of India to have a full jurisdiction;
5. The Constituent Assembly to be re-elected in fair

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election;

6. The custom barriers between Kashmir and India to be eliminated;

7. Kashmir to adhere to the same 'The State, Central and concurrent lists of subjects as the other Indian States; and

8. The charges of curruption against the State regime to be investigated by an impartial Tribunal."

Pt. Prem Nath Dogra and Dr S.P. Mukerjee met at Jullunder during Punjab Jana Sangh session on November 8, 1952 and discussed the plan for the Satyagrah. Pt. Prem Nath Dogra and Pt. Sham Lal Sharma were, however, arrested on November 21, 1952 and the agitation started with following demands[69] :-

(a) To settle the issue of accession one for all without further leaving it to uncertain future;

(b) To make it certain as to when the Pak-held Kashmir was liberated;

(c) To clearly and categorically set the constitutional relationship between the State and the Centre with a view to ensuring the oneness of India at all costs and, as such, the right of citizenship, jurisdiction of Supreme Court and of the functions of High Court, power of the President, National Planning and financial integration are give a final shape in the relationships; and

(d) To investigate by appointing an impartial commission

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the grievances of the people of Jammu regarding their economic advancement, employment, rehabilitation, division of boarder districts on communal lines."

Satyagrah was organised on the issues that Sheikh Mohammad Abdullah minimised the State in the name of secularism, that there was utilitarianism in the name of democracy; that Civil liberties had been crushed; that efforts were being made for carving out an independent Kashmir; that Delhi was a betrayal and that situation was developing into such a direction as would elevate the State to the status of a sovereign State, with its independence guaranteed by the people's Republic of China and the USSR, besides India and Pakistan.[70] The other issues raised up against Sheikh Abdullah related to the gerimendering of Hindu majority areas for election purposes; making urdu compulsory subject for all, distribution of key posts among Muslims and sacrificing the interests of non-Muslims. The Sheikh Abdullah was, therefore, charged with anti-national tendencies, taking away Kashmir from India.[71] Even one of his cabinet Ministers Sham Lal Saraft was encouraged to oppose Sheikh Abdullah for his making highly inflammable public speeches and for authoritarian attitude in the Cabinet. He resigned from the Cabinet saying that "I hold my post as a trust from the people, especially the minority communities, to which I happen to belong, and it becomes my duty not to betray this trust at a moment of crisis.[72]

The movement soon assumed, serious proportions and its repercussions were felt outside the State also. Anti-Kashmir feelings in Jammu developed anti-Muslims overtones, while anti-Jammu reactions in the valley tented to become

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anti-Hindu and hostile to rest of the country. By December, 1952, the whole of Jammu province was ablaze. The agitation had assumed ~~into~~ formidable dimensions. The agitators were met with arrests and punish-ments, the Praja parishad had full moral and material sympathy and support from Hindus all over the country. It had unflinching support of national parties like Jana Sangh, Ram Rajya Parishad, Hindu Maha Sabha and Akali Dal. The leaders of these parties even courted arrests in support of Praja Parishad's protest in Jammu.[73] The Kashmir Nationalists and autonomists were of the view that the Praja Parishad agitation was basically an emotionally oriented disgruntlement against the valley based leadership in the State. They pointed out that from the very beginning of their freedom struggle, the Kashmiri leaders had never received an open minded and voluntary offered hand of cooperation from the Jammu Hindus. The Jammu Hindu mind was ~~observed~~ obsessed with the fear of Muslim majority in the event of Dogra rule was over. This obsession had never permitted them to accept the realities of time. They could not tolerate to see State Government headed by Sheikh Abdullah whom they considered the archenemy of the Dogra ruler. The parishad agitation was, therefore, essentially anti-Kashmiri anti-Muslim and anti-autonomous in its nature, character, aims and objectives.[74] The Kashmiri leadership said that the agitation was politically a regionally oriented aspiration for the attainment of an identity separate and distinct from that of Kashmiri identity, and at the same time, not having any appreciation for composite nationalism, a characteristic feature of India secular polity. They added that the separatist objective of the agitation was evident in its declaration to put an end to Sheikh Abdullah and other workers

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of the National Conference. We shall sack their blood. We will root out this Government and send them to Kashmir. We do not like this Raj."[75] Dr S.P. Mukerji, the then President of Bhartiya Jana Sangh, entered into a long correspondence with Pt. Nehru and Sheikh Mohammad Abdullah but nothing substantial came out.

It was during these days that Dr S.P. Mukerjee was authorised by his Jana Sangh Party either to seek redressal of the grievances of the Jammu people or to launch a Satyagrah in India in support of the Praja Parishad agitation.[76]

In his presidential address at the Kanpur session of the Jana Sangh Dr S.P. Mukerjee said :

"....We are often told that if there is any unchal pressure for the application of the Indian Constitution to Jammu and Kashmir, the Muslim of Kashmir valley may break away from India this argument is totally unintelligible. If our constitution had been so devised as to make Muslims feel nervous about their future fate or about possibility of their receiving equal treatment, one could have understood the force of the argument. When, however, that is not so, what can possibly be the ground for this hesitation?.... Let me repeat and state categorically that I do not want Jammu and Kashmir to be partitioned. But if Sheikh Abdullah is adament, Jammu and Ladakh must not be sacrified but Kashmir Valley may be a separate State within Indian Union receiving all the necessary subvention and being treated constitutionally in such a manner as Sheikh Abdullah and his advisors may wish for...."[77]

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Finally, Dr S.P. Mukerjee in his letter to Pt. Nehru on February 17, 1953, which he had written to him in reply of his letter dated February 15, 1953, offered the following 10 point formula[78] for his consideration as first step for the withdrawal of Parishad agitation :-

"1. The movement is withdrawn.

2. Order for the release of Prisoners is given and there will be no victimisation.

3. You and Sheikh Abdullah call a conference, say, after a fortnight where all political and constitutional matters are discussed with an open mind.

4. Both parties reiterate that the unity of the State of J & K will be maintained and that the principle of autonomy will apply to the province of Jammu as a whole and of course also to Ladakh and Kashmir valley.

5. The new constitution to come into force as soon as possible and elections to take place within, say, six months.

6. Question of flag is to be clarified and India flag should be in use everyday just as in done in all other parts of India.

7. Implementation of the July agreement will be made at the next session of J & K Constituent Assembly after the issues left vague have been properly clarified. In respect of fundamental rights, citizenship, supreme court, president's powers, financial integration, conduct of elections,

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provisions of the Indian Constitution will apply. Exception, however, may be made with regard to conditions for acquisition of land.

8. The terms of reference of the commission of enquiry will be widened and all grievances will be examined by it.

9. The Commission now includes 4 persons, Chief Justice, Accountant General, Chief Conservator of Forests and Revenue Commissioner. The last three gentlemen are administrative officers under J & K State and they can hardly inspire confidence. The Commission should be reconstituted with 2 judges from India and the Chief Justice of J & K so that its impartiality and representative character may not be questioned.

10. Regarding finality of accession and other political matters, the Conference will consider these points from every aspect and agreement sought to be reached which will be in the best interest of India including J & K."

Pt. Nehru, however, did not respond to Mukerjee's offer to withdraw the agitation. The Parishad agitation was growing in its intensity. There was a danger of the movement erupting into violence. In order to prevent it Dr S.P. Mukerjee deputed Mr. Trived and Mr. Deshpanda to Jammu to exert their influence to prevent this. But they were refused permission to enter Jammu and Kashmir. Mookerjee, therefore, decided to go to Jammu himself without applying for a permit. He pointed out "Mr. Nehru has repeatedly declared that the accession of the State of Jammu and Kashmir has been hundred percent complete.

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Yet it is strange to find that one cannot enter the State without a previous permit from the Government of India. The permit is even granted to communists who are playing their usual role in Jammu and Kashmir, but entry is barred to those who think or act in terms of Indian Unity and nationhood. I do not think that the Government of India is entitled to prevent entry into any part of the Indian Union which, according to Mr. Nehru himself, includes Jammu & Kashmir of course, if anyone violates the law after entering any State, he will have to face the consequences."[79]

Dr S.P. Mukerjee, alongwith U.M. Trivedi the then M.P. and Vaid Guru Dutt left Delhi for Jammu on May 8, 1953. On May 10, 1953 when they were passing through Punjab enroute to Jammu Mukerjee received a message from Sheikh Abdullah saying his visit to Jammu would be inopportune. Nonetheless they proceeded and the moment they crossed the Ravi River at Madhopur at 4 p.m. on May 11, 1953 they were arrested under Public Safety Act and Mukerjee placed under house arrest at Srinagar.[80] His arrest had added fuel to the fire. The agitation took such a serious turn that it almost paralysed the entire State apparatus. Almost every part of Jammu region, from city to was virbrant with mass upsurge. Chamb, R.S. Pura, Sunderbani, Samba, Akhnoor, Jourian, Kishtwar, Hiranagar, Udhampur, Basohli, Reasi etc. were places where people were killed and injured by firing. Lathi Charges on processions had become a normal feature of life.[81] Since the agitation had attracted popular support of almost all non-Muslims from every part of India, it had shattered the Sheikh's faith in Indian secularism. He advised the people of Kashmir not to get upset over the

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agitation of the reactionary communal forces in Jammu.[82] He said :

> "We faced and weathered many storms and were successful and we shall weather this storm as well. When the people of Kashmir had met the challenge of the Muslim League and Muslim National Guards, they would not be afraid of the challenge of the Praja Parishad and other communalists, who were really the "Muslim National Guards' in Hindu Garb."

In his public speechs Sheikh Abdullah warned India of the consequences if the Hindu communalism was permitted to continue its virus against Muslims. This attitude of Sheikh Abdullah was not liked by the Indian leaders. Maulana Abul Kalam Azad was sent to Kashmir to persuade him to be moderate in his critisam of Hindus and not to take the matter to the extereme.[83]

Mukerjee fell ill shortly after his arrival at Srinagar in custody. He complained of pain in his right leg in May 1953. He developed a fever and chest pain which was diagnosed as 'dry pleurisy' on June 22, 1953. He was removed from Sub-Jail to the State Hospital in Srinagar. At 3.40 a.m. on June 23, 1953 he got sudden heart attack and died. As a result of his death the whole of North India was plunged in gloom and submerged by a kind of anti-Nehru and anti-integeration hysteria. Praja Parishad refused to believe that death occurred in State's political circumstances. It was described as death in Parishad succeeded circumstances.[84] The rumblings of similar [illegible] Jana Sangh.[92] The Aeard in the Frontier district [illegible] stated

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powers. Sheikh Abdullah was suspected of a 'mischief' which the Government of India was not ready to permit him at any cost. His removal was the only wayout of national interest was to be saved by means of keeping the State of J & K safe in Indian grip.[88] The orders of the dismissal of his ministry were issued by the Sadar-i-Riyasat and were served to him on August 9, 1953 at Gulmarg.[89] On the other hand the Parishad leaders seemed to be satisfied with the dismissal of Sheikh Abdullah's ministry and his subsequent arrest on August 9, 1953. They promised to support to the then newly constituted State Ministry head by Bakshi Ghulam Mohammad. The force and intensity of the agit was, therefore, relaxed. On July 7, 1953 the party officials announced that agitation was called off temporarily with the hope that the grievances of the people of Jammu would be redressed and their demands met by the then new Government head by G.M. Bakshi.[90] The Praja Parishad also resolved to continue to press for the full accession of Kashmir to India. Pt. P.N. Dogra and G.M. Bakashi - the new P.M. of the State - however agreed in ~~xxxxx~~ December 1953 to drop the Satyagraha, withdraw the cases against the demonstrators and restore their civil rights. The Parishad leadership actually fell in the trap of Bakashi, who required their support to consolidate his own position particularly in the valley.[91]

In order to get a wider support of the Indian masses for the people of Jammu, who were agitating not only for complete integeration of the State with Indian Union but also a share in State's political power, the R.S.S. element in the Praja Parishad succeeded in affiliating the party with Bhartiya Jana Sangh.[92] The All J & K Praja Parishad than stated

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operating as de-facto Jana Sangh united in the State.[93] Pt. Prem Nath Dogra then toured throughout India and attended the meetings of the Bhartiya Jana Sangh at the National level. The three slogans of Parishad - one president, one flag and one constitution for the whole of the country had raised the stature of Pt. P.N. Dogra at the national level, also.[94]

After the resignation of Pt. Mouli Chander Sharma from Presidentship of Bhartiya Jana Sangh, who succeeded Dr S.P. Mukerjee, the choice fell on Pt. Prem Nath Dogra. Technically, it was not fessible for him without merging his party with the Jana Sangh. Thus R.S.S. element under the auspices of Prof. Balraj Madak who had been compaigning since long for the complete merger of Praja Parishad with Jana Sangh, finally succeeded in merging the former with the latter on February 20, 1964 in a party session held at Akhnoor (Jammu) and presided over by Sh. Din Dayal Upadhaya, the then General Secretary of the All India Jana Sangh.[95] Mr. Chhatru Ram Dogra, Shiv Ram Gupta alongwith a handful others had opposed this move of merger. simply because the party would not only loss its regional character, it Muslim membership, who dubbed Jana Sangh as a communal party, but a strong force protecting the interest and aspirations of the Jammu region.[96] They were of the view that with its merger with Jana Sangh the channel for redressal of grivances of the Muslims masses in Jammu against the aggressive trends of the National Conference Government, would be closed. They would then look towards the communal, anti-India and secessionist outlest in the vellay.[97] But the proposal was ultimately carried out with majority support.[98] With that action the Jana Sangh had its units in most of the Hindu

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dominated belt of Jammu regions.

The integrationalist movement in Jammu region was then spear headed by Bhartiya Jana Sangh, whose policy with regard to Kashmir had been consistent, rigid, clear cut and influenced by its ideology of Akhand Bharat.[99] Any talk of the special status of the State, and consembly making a separate constitution for it were an anathema to the party. It had consistently regarded the accession of the State to the Union of India as final, complete, legally valid and beyond question.[100]

At present B.J.P., being the subscriber of the same ideology of Akhand Bharat, looking after the Integerationist movement in Jammu regions.

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Pt. Prem Nath Dogra then left for Delhi to meet Pt. J.L.Nehru to appraise him the new situation created in the State[76]. A campaign was then started throughout Jammu province to get 5 lacs of signature in support of the memorandum to the President of India[77].

Shri Amar Kshatriya Prantik Sabha, Jammu also resented these decisions and passed resolutions against them the copies of which were sent to Government of India[78]. The telegrams based upon the resolutions were also sent to the Prime Minister of India, Dr. Katju, N.Gopalswami Ayyanger, Yuvraj Karan Singh and other top leaders of political parties of India[79].

The following telegrams had been send by the President Shri Amar Kashtriya Prantik Sabha Jammu to the Indian leaders on 14th June 1952[80]:

COPY OF TELEGRAM

Dated 14th June 1952

From the President, Shri Amar Kashtriya Prantik Sabha Jammu to the:

1. President Rajendraparsad Republic of India, New Delhi.
2. Premier Pandit Jawaharlal Nehru
3. Doctor Kelashnath Katju States Minister India
4. Defence Minister N.Gopalaswami Ayyanger
5. Shri Yuvraj Karansinghji of Kashmir Ambassador Hotel

and other top ranking political leaders of India and prominent News Papers.

Two resolutions adopted by unrepresentative Sheikh Abdullah's Kashmir Constituent Assembly changing time honoured State flag and terminating hereditary monarchy

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prefaced by provocative speeches of the Premier and his colleagues are a challenge to the sacrifices gallantry and statesmanship of Dogras and Ruling House particularly Rajputs aaa Kashmir has acceded to India as Part B State and cannot adopt any separate Flag or frame any Constitution of its own under Indian Constitution aaa Kashmir Constitution Assembly is not Sovereign body like Constituent Assembly of India and is not competent to frame any constitution or adopt any resolution or pass any measure bringing it in direct conflict with Indian Constitution or accession of State to Indian Union aaa Maharajas Constitutional Sovereignty was never contemplated to be terminated by Government of India as is evident from Maharajas proclamation of 5th March 1948 and Yuvaraj Karan Singh's proclamation of 25th November 1949 and article 370 of Constitution of India not even by the resolution of National Conference dated 27th October 1950 foreworded by Honourable Pandit Jawaharlal nehru aaa Maharaja as Constitutional Ruler is a political necessity and a unifying link between different geographical and political units of State as held by Sir Owen Dixon aaa Terminating of hereditary monarchy tantamount to disintegration of State and a political suicide on part of Sheikh Abdullah when kashmir case till pending in Security Council especially in view of fact that it was Maharaja who acceded to India unreservedly thereby recognising alliance of State as part and parcel of India aaa Peoples of State particularly Dogras while fully alive to democratic needs of present day consider adoption of resolutions as a challenge to their very existence, self respect and integrity of State aaa Pray intervention under article 366 and 370 of Constitution of India and request

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with drawl of two resolutions and also restraining Sheikh Abdullah from making any undignified speeches or passing any measures without ascertaining the will of political units of State and not self nominated Constituent assembly of Sheikh Abdullah.

Praja Parishad leadership declared its opposition to separate head of the State (i.e. S-I_R), a separate flag for J&K keeping alive a feeling of separatism which would endanger future safety and security of India. The party,. therefore, considered it essential that the State should be brought fully under the Constitution of India. 'Ek Desh Mein do Vidhan-In one country two constitutions; Ek Desh Mein do vidhan-In one country two constitutions; Ek Desh Mein Do Nishan-In one country two flags: Ek Desh Mein Do Pradhan-In one country two Presidents Nahin Challengay Nahin Challengay-will not be tolerated..." became the battle cry of the party[81].

Shri Ram Nath Balgotra- the then General Secretary of the All J&K Praja Parshid issued the following statement[82]:-

Statement of Sh. Ram Nath Bhalgotra Advocate General Secretary All Jammu and Kashmir Praja Parishad.

One constitution one flag and an anthem, these three constitute a "Nation", We, Indian, living in the State firmly believe that for the sake of Unity and Integrity of the Nation, the above principle holds good and should not be deviated from at any cost.

The accession of the J&K State with the Indian Union being complete in all respects, it is but essential that the analogous contingencies should also follow simultaneously. After accession the State become an integral part of Bharat and hence the Indian Constitution

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should be applied in its entirety to the State. Any deviation from the principle encourages the separatist and fissiparous tendencies to cause disruption in the country. These forces are already active in the border areas of the country and the recognition of a separate constitution for the Kashmir state will tempt those forces to become more active and disturb the peace in the country.

It is also in the interest of the state and the people living therein that the Indian constitution should be applied in its entirety to the State. It besides other things ensures to the people living in India.

Justice: Social, Economic and Political:

Liberty of thoughts expression belief faith and

Equality of Status and Opportunity.

It least behaves to any faithful citizen living in India including Kashmir that he will deny any of those rights to the people living in any part of Bharat. We do not understand as to why these who talk of the States accession to India being hundred percent complete, still contemplate doubt and act upto enacting a separate constitution for the state. This will lead to the loosening the ties of unification of Kashmir with Bharat.

In certain circles there is a tendency to dismiss the demand of the Praja Parishad as a problem for legalistic or academic dismission and to ignore its human aspects, but those who have raised it are indes about it. To them it is a matter of life and death and they are determined to persist in it regardless of the suffering and sacrifices which this course might entail for them.

It is pity that the central Government have enquired

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from the proper quarters why this is being made and how for it is justified. On the contrary they have been more responsive to the opposite demand of the National Conference leaders, which is to the effect that this state could have a special privileged status different from that of other Indian States. The wonder is that it has never occurred to the other side and a Central Govt. that, in the ---- but these demands be contradictory in their formulation and intent really spring for similar apprehension. But the fear of the Kashmiri leaders are wholly baseless, because admittedly they have received the most generous treatment from the Govt.. and the people of India during the last nine years. On the other hand the apprehension of the Jammu people are fully justified by the experience they have had of 'so called popular rule during same period. They have been reduced to the level of political untouchable in their homeland. Their genuine voice has been effectively shut out from the constituent Assembly. The government formed by the conference party is neither reasonable nor responsive, to Jammu people. The door of Government services are closed to them, and those already in services are being pushed back. The administrations corrupt and inefficient and it is difficult for common man to obtain redress in the ordinary course. Naturally the Jammu people seek protection permission, which some of the Indian Constitution and some organs of the central authority might possibly afford them. But the Kashmiri leaders desire to retain both worlds. They demand autonomy for ---- in relation to the central authorities of the Indian Union and at the same time they stick to undiluted autonomy in the shape of an unalterable fixed majority in

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relation to the Jammu people. The fairness they should accord the same treatment to the later as is demand by them for themselves from the Indian Union. The legitimate demand of the Jammu people is ignored on the false plea that it is confined to reactionary, communalist and vested interest.

The problem that has arisen between Jammu and Kashmir is essentially the same problem as has emerged between the whole state and the Indian Union. And for tunately it is also the problem that the Indian constitution was devised to solve. Its wise framers were faced with the rival claims of competing elements in the body political and they arrived at a nice adjustment of those claims in the frame work of that constitution. This nice balance and adjustment makes it eminently fitted to provide a solution of the essentially human problem that face ~~are~~ in this state. This is a strong reason why a solution of this problem should be attempted by applying the Indian constitution in its entirety to this state.

Viewed against the above background the unsatisfactory character of the said proposals becomes quite apparent, in as much as they disturb the nice balance of adjustments that the Indian Constitution in its entirety was intended to be.

The safeguards afforded in the Indian constitution are being denied to the people of the state. The jurisdiction of the Supreme Court, Election commissioner and Auditor General to the State is being purposely avoided. This has definitely raised doubts in the minds of those who advocate for the application of the entire constitution. If the Kashmiri leaders contemplate fears in the Indian

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Constitution, what safeguards do they hold out to their counterpart in the State. The past experience has given a bad taste and promises still worse in the future. The said provision in the draft State constitution with regard to the declaration of the organisation opposed to the draft as unlawful is undemocratic and amounts to enclaving the people and the Parishad will not be an idle spectator to it. We appeal to the democratic forces within and without the state to rise to the occasion and see that the danger to the country is awaited and the genuine, patriotic demand of the people of the Kashmir state for the application of the Indian Constitution to the State is conceded. We also appeal to the responsible both within and without the Government quarters in India to appreciate the feelings of the patriotic forces and to be vigilant to the farlical tactics of the disruptionists in the state.

The State constituent Assembly, however, could not get the ratification of the accession which Sheikh Abdullah thought was impolitic and inexpedient...without getting a prior reciprocal approval for the State's special status within the Indian Union which he felt was necessary to ensure that safety, security and well being of its Muslim Majority[81,83].

In order to resolve the differences between the Centre and the State an official deputation of Kashmiri leaders was summoned by Centre on June 12, 1952 which arrived on June 17, 1952 and held a series of discussions with the government in order to resolve the constitutional dead lock. Sheikh Mohammad Abdullah also joined them on July 17,1952. Preliminary discussions were held from 12th June to 20th June, 1952, between the government of India and

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Kashmiri delegation headed by Mr.. M.A.Beg. A further discussion took place between Pt. nehru and Sheikh Abdullah from July 16 to 27, 1952. All this resulted in Delhi agreement, 1952[84].

Pt.Jawahar Lal Nehru, condemned the All J&K Parishad movement for States full integration to the Indian Republic and had praised Sheikh Abdullah and his party for their stand on Kashmir issued. But criticising Pt. J.L.Nehru's statement, The J&K Praja Parishad convention which was held in Jammu, After the convention the Praja Parishad issued the following statement[85]:-

The statement issued by the All J&K Praja Parishad:

This convention of the Jammu and Kashmir Praja Parishad deplore Shri Nehru Ji's statement concerning Kashmir, not merely because it ignores the true background of the situation, but also because it amounts to virtual surrender to the Separatist designs of the Abdullah party in Kashmir and utter disregard to the wishes of the people of Jammu and Ladakh as also of a considerable section of the people of Kashmir Valley.

The reference in the statement to the geographical significance of the State amounts to a misinterpretation of the facts of history and geography. Kashmir valley and Jammu have all through the ages been integral parts of India geographically, historically, culturally as also economically.

The description of National Conference party of Kashmir as an offshoot of the Indian national Congress and as one guided by the ideals and objective of Gandhiji is fallacious and misleading in so much as the former began as "Muslim Conference" drawing inspirations from the stalwarts of

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Muslim League till 1939 when it converted itself into National conference. Even as National Conference it has remained mainly the Organisation of the Kashmir valley.

The acceptance of sh. Abdullah's demand for making his party flag as the State flag is indefensible and wholly unwise, because there can be only one flag in one country as the symbol of its unity and integrity. To describe the National Conference flag as symbol of the State people's political struggle is no argument for elevating it to the position of a state flag. If Kashmir is a constituent unit of India like any other, it cannot adopt any flag other than the Indian flag. Moreover, the people of Jammu have a strong sentiment against this flag. The other major demand regarding abolition of hereditary rule has been conceded. This convention feels that the policy of singling out the Maharaja of Kashmir, who is only a constitutional head now, to appease sh. Abdullah is impolitic and smacks of vindictiveness.

While these demands of Abdullah government to weaken the ties that bind India and Kashmir have been accepted, the popular demands for full application of the Indian Constitution to the State, particularly in respect of citizenship, fundamental rights, Supreme Court and financial integration have not been met. The agreement is either very vague in these matters, or has taken away in the shape of exceptions what it seems to concede as a principle, for example while conceding in one breath that citizenship should be common, in an other breath the State Govt.. has been given the power to maintain invidious distinctions between different classes of the permanent residents of the State and of outailing the rights and privileges of

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other Indian citizens. Thus the Kashmir Govt. will be competent to bar the Indian Nationals from acquiring property or enjoying equal right in the State. This tantamounts to having a dual citizenship, which will militate against the unity of India and like the dual flag, might create a dangerous precedent for other states. The ulterior motives underlying these decisions are political and not social as has been alleged in some quarters.

The special provision that has been made to allow those people of the State who have gone to Pakistan to come back and regain citizenship of the State though appearing harmless on the face of it, has a dangerous import. So far, most of the Hindu evacuees from the Azad Kashmir areas have been denied the opportunities to settle within the State while those who had migrated to Pakistan and adopted Pakistani nationality are being encouraged and provided with facilities to come back and settle in the State. Even utter foreigners like Kazaks from Central Asia, who happen to be Muslims and could not, under the State laws, settle in the State have been given full naturalisation rights to settle in the Kashmir Valley. It is feared that steps might continue to be taken which might disturb drastically the present social and religious composition of the State population. This Convention, therefore, urges upon the Government of India to see that Hindu Evacuees who are being sent to far off places outside the State like Bhopal and Bikaner are settled within the State. Those who have already settled in the State must not be dispossessed and uprooted again to resettle returning Muslims from Pakistan controlled areas. Unless and until

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the non liberated areas of the State are liberated, Muslims from Azad Kashmir and Pakistan should not be allowed to come. Even in regard to the fundamental rights two special reservations have been made, one concerning to land legislation and the other concerning the present "abnormal conditions" obtaining in the State". With regard to the first reservation the Convention feels that if this represents the considered policy of the Govt., of India the Indian Constitution should be amended accordingly and the Kashmir example adopted for the whole of India. In the reverse case the Kashmir Government should not be permitted to act in contravention of the Indian constitution so flagrantly.

In regard to Supreme Court, the Kashmir Govt. while accepting in principle its jurisdiction over Kashmir has postponed the final decision on the plea of working out the details. The vital question of financial integration has also been left over for further consideration. Even the powers of the President of India to declare emergency in case of internal disturbances has been made subject to the concurrence of the Govt. of the State. All this, the convention feels, reduces the scope and utility of the concessions made by the State Government, as is apparent from the recent speeches made by Sheikh Mohammad Abdullah and Mirza Mohd Afzal Beg. Sheikh Abdullah has got all that he wanted, and the Agreement can hardly make the State people feel that they are part and parcel of India. Even in regard to the three subjects of defence, foreign affairs and communications the State has not yet acceded fully in practice, as a number of subjects coming under these heads, viz Radio, Telegraph and Telephone etc., according

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to government of India's own admission vide answers in parliament have not yet come under the control of the Centre.

This Convention is, therefore, convinced that the present Government of Jammu and Kashmir is trying to restrict the accession of the State to minimum possible limits in order to serve the vested interests of those in power, to the detriment of the larger interests of the people of the State as also of India. It condemns this attitude of the State government as basically communal and parochial which is bound to aggravate centrifugal forces within the State and without it. This convention therefore is of the opinion that the Nehru-Abdullah Agreement has not altered the situation to such extent as to warrant any change in the stand taken up by the Praja Parishad in its President's Memorandum to the Rashtrapati. The Conference reiterates that stand and demands that:-

1. The Muslims from Azad Kashmir of Pakistan should not be allowed to return and settle in the State until and unless the non liberated areas are liberated and non Muslims refugees from those areas are able to return to and settle in their ancestral homes.

2. The Hindu and Sikh refugees who have already settled here should not be dislodged and those still unsettled outside the State should be properly rehabilitated in the State.

3. Pending that, the part of the State lying on Indian side of the Cease Fire Line should be fully integrated.

This agreement India agreed and reiterated its solemn pledge to give the State a special status in its

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constitution.This would guarantee complete internal autonomy to the State. The hereditary ruler was to be replaced by an elected head of the State. The fundamental rights incorporated in the Indian Constitution were to be applied to the State, subject to the provision that they would not disturb the programme of land reforms. The jurisdiction of the Supreme Court was to be limited, as regards the State, to interstate disputes, fundamental rights and to matters of defence, foreign affairs and communications. The Union Government agreed to the State's retaining its own flag, but insisted that the supremacy of the National flag should be recognised. The power to reprieve or commute death sentences would belong to the President of India[86].

Pt. P.N.Dogrra had issued the following statement on Sept, 28,195[87]:-

Statement issued by Pt. Prem Nath Dogra, President, All J&K Praja Parishad, Dated 28th Sept. 1952.

The altitude of the Praja Parishad with respect to the question of the elected Head of the state has been made unmistakably clear on several occasions, but attempts continued to be made in the interested quarters to misunderstand and misinterpret it, it therefore become necessary to clarify this attitude once again.

11. As the fundamental stand of the Praja Parishad is for the full and unqualifified accession of the State to the Indian Union like other part B states, it follows that we are in favour of the Ruler of the functioning as Raj Pramukh of the State as on other similar states. It follows also:

1. That we are opposed to the Head of the state,

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being appointed or removed at the behest (or, as it euphemistically called, on the recommendation) of the Kashmir Assembly which, consisting as it does merely of the nominees of the National Conference party of Kashmir represents no body else in the state and least of all in the Jammu province.

2. We are opposed to the Head of the State being designated as, Saddar-i-Rayasat which means in English president of the State, because we think there should not be two President within the same Republic or Union of State.

3. We are also opposed to the Head of the State being elected by the local legislature periodically for a number of years, because this will make him a plaything of local politics and a mere puppet of the unalterably fixed communal majority party in the Legislature.

III. The above explains the base attitude of the Praja Parishad towards this system, but there are a few other considerations which are also relevant to their questions, namely:-

i. The so-called Constituent Assembly of Kashmir being a creature of the Ruler and deriving from his whatever authority it possesses has no legal and constitutional power or moral justification for deciding the fate of that very Ruler.

ii. That the Instrument of Accession signed by maharaja Hari Singh as the legal Sovereign of the State, and by the governor General of India, is in the nature of a solemn contract or treaty which cannot and should not be repudiated or modified unilaterally by one party to it, much less at

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the behest of an Assembly, which was never a party to it.

iii. That the present attitude of the National Conference Leaders towards the Ruler from whom they derived authority smocks of vindictive and communal bias and does not seem to be consistent with the best interest of Indian or of the State.

iv. That the spectable of the Hon'ble President of the Indian Union, acting mechanically on the recommendations of an unrepresentative body in the matter of recognizing or removing the Head of the State, without regard to the merits or demerits fairness or unfairness, of the recommendations and without ascertaining the wishes of the elements unrepresented in the Assembly, will be highly unedifying and should not be presented to the world.

v. That it is unwise and inexpedient at this juncture to remove the one authority which has provided the sole unifying link for and has commanded the allegiance of the heterogeneous elements constituting the State of Jammu and Kashmir for more than a century.

vi. That it is unwise and inexpedient in the interest of the State as well as of India, to meet out a discriminatory treatment to the ruler of the State so long as Rajpramukhs continue in other States like Hyderabad.

Prem Nath Dogra
President
All J&K Praja Parishad Jammu."

The Praja Parishad was of the view that Nehru-Sheikh Accord (Delhi Agreement of 1950) was another surrender at the alter of communal instransigence and separatism of Sheikh Mohammad Abdullah, a fraud on Indian people and an attack on Indian Constitution. Pt. Prem Nath dogra declared

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that Praja Parishad would launch a satya grah if the Agreement was enforced[88].

On other hand the inhabitants of Doda district too being much agitated and emphasized that as they had peculiar local problems and historically, geographically and culturally were quite different from their neighbouring unit, they could not in any way be attached with the cultural unit of Jammu. While stressing that they must be given the status of a separate cultural unit, they demanded the staste to be divided into as many as five cultural units-Kashmir, jammu, Poonch, Rajouri, Ladakh and Doda in the future constitutional set up of the State. Each such unit legally having equal status would enjoy autonomy in the conduct of their internal affairs including maintenance of law and order within their own limits[89].

There was a deep resentment in ladakh also and events had taken somewhat similar turn as in Jammu. Kushak Bakula, the Head Lama, voiced the feelings of the people of Ladakh when he declared that in the event of Kashmir drifting away from India the Ladakhis would break their connection with the State and merge with the Indian Union[90].

On the other hand the valley too was not calm. An opposition group Awami Conference under the leadership of Kh. Umar Bhat was allowed to come into existence within the ranks of National Conference. Pro Pak elements were also encouraged by happenings in Jammu and they demanded secession. The Nationalist group demanded maximum autonomy for the State. Regional sentiment helped to fragment popular discontent and regional tension brought the regional cordiality to an end[91].

Criticising the Agreement in the Parliament Dr Shyama

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Prasad Mukerjee advocated Kashmir's complete integration with India or alternatively self-determination for Jammu and Ladakh[92].

Neither the Government of J&K nor the Governor of India paid any heed to the Praja Parishad demands. On the other hand Sheikh Abdullah at once gave effect to those provisions of Agreement of 1952 which symbolised the separation of the State from India. But no further action was taken by the State Government with regard to its other provisions particularly the transfer of Control of the State Telegraph and Telephone Departments to centre financial integration, application of fundamental rights, extension of jurisdiction of Supreme Court of India to the State. Sheikh Abdullah was, therefore, accused of ignoring those provisions of agreement which confirmed Kashmir's ties with India[93].

On the invitation from Dr. Karam Singh-The Regent of J&K State an All J&K Praja Parishad delegation met him at Srinagar and discuss with the issue of acceptance by him the office of elected head of the State. The following press note had been issued by the Parishad leadership after the meeting[94]:-

The press note issued by the All J&K Praja Parishad:-

In response to an invitation from Shree Yuvaraj Bahadur a Praja Parishad delegation headed by Pandit Prem Nath Dogra met him at Srinagar and had a series of talks in an atmosphere of cordiality and understanding.

`The issue of acceptance or rejection of office of Elected Head of the State was discussed. It being the first chance in which Jammu people were invited for consultations, the Praja Parishad stand for full accession

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and application of the Indian Constitution, with particular reference to the dangerous implications of creating a Republic within Republic in having a separate flag separate constitution and Elected Headship was fully explained to him. The denial of civil liberties and fundamental rights, the unrepresentative character of the Constituent Assembly and reaction to the various issues arising out of Indo Kashmir agreement were also placed before him. The abolition of Hereditary Monarchy the only binding link between the different constituent units of the State was also a subject of discussion.

Shree Yuvaraj gave a patient hearing to all that the delegation had to say. He threw light on the various aspects of the situation and gave an analysis of some wider issues involved, with particular reference to the integrity of the state, the interests of the country at large and international situation.

The delegation after giving their best consideration to Shree Yuvaraj Jee's analysis of the situation and in view of the fact that it is considered imperative to approach the government of India in connection with the detrimental decisions of the Constituent Assembly feels that so long as the question of Maharaja's abdication or withdrawal of his recognition as Rajparmukh is not finally decided by the Government of India and till the new constitution for the State assumes a concrete shape it would be premature to give any definite opinion over this single issue of accepting or rejecting the office of the Head of the State by Shree Yuvaraj Bhadur."

However, monarchy was abolished and Dr. Yuvaraj Karan Singh was elected as first Sadar-i-Riyasat of J&K State[95].

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The following was the view point of Praja Parishad on the issue of the J&K State accession to Indian Republic at the time of abolition of the Monarchy in the J&K[96] :-

The All J&K Praja Parishad view point on the issue of the State Accession of to Indian Republic.

Accession

In the turmoil that preceded the actual patition of the Mother Land into two parts and the creation of the State of Pakistan the Praja Parishad, keeping in view the logic of traditions and ideals of one Indian Nation Hood and that the development and prosperity of the State is safe in the status joining with Bharat, decided and persuaded the then Government of the state to accede unconditionally to India. The events that followed fully endorsed the decision taken by the Praja Parishad and proved that there was no better alternative to it. The British plans to isolate us and to afford opportunity to Pakistan to subjugate us were upset when the Maharaja of Kashmir following the advice of Praja Parishad leaders acceded to Bharat. We hold no brief for monarchical institutions nor we stand for their retention any longer but the role of the ruler of Jammu and Kashmir in causing accession of the State to India by signing the instrument of accession must be appreciated.

The people of the State resisted the invaders with great heroism and sacrifice because they understood it very well that their future was intimately bound with Bharat which could ensure to them their tradition and ideal of National brotherhood.

The anti national forces in the State that had, all along the national movement in the Bharat was going on,

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been playing a second fiddle in the hands of the British diplomats however kept themselves busy in the State. Some time they tried to find impossible and impracticable third alternative to the State's accession to Bharat at another they harped on the much condemned plan of Independence Kashmir raising opportunity for the Imperialist diplomats to muddle with the Kashmir problem and create difficulties in the solution. It was to strengthen such forces in the world that anti national forces in the state to undermine the oneness of the State with the rest of Bharat by seeking protection and privilege in the garb of article 370 in the Indian Constitution.

The Parishad viewed all these circumstances with great alarmed and saw the great danger involved in pursuing such alternatives which were weakening the ties of the State with the Bharat and thus endangering the peace and prosperity of the State. The privilege sought under article 370 of the Indian Constitution was being exploited for the interest of mischievous imperialists forces of the world, when the Parishad condemned the retention of the article in the constitution of India and demanded its detention. The Parishad felt it and made id explicitly clear that article 370 will afford the privileged politicians of the state accession to endanger the integrity of Bharat and to undermine a challenge the experiment of secular democracy being practiced in the country.

A flag, a constitution and an anthem these three sum up a nation has been challenged by those who profess to be the only nationals in the State. Indians are not one nation but different nations is their concept a step further to strengthen the machinations of the British

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Imperialists diplomacy in Bharat. A separate flag, a separate President a separate Constitution and the manipulation of territorial areas with a purpose are not re-assuming evidence of the non-communal working of the administration of the State. The spirit behind as it has been working in the State for the last 7 years was turning the State into a citadel of Imperialist intrigues. The Praja Parishad felt it and to undo the effort of the administrators of Kashmir to weaken the firm and unbreakable ties with India started a movement to decide the issue once for all and to get redress to the economically oppressed and politically suppressed people of the state. Much of the dangers that were a head both for the people of the State and the rest of Bharat have been eliminated because of the suffering, faults and tortures borne by the people of the state and that of Bharat at the call of Praja Parishad. The Supreme sacrifice of late Dr. S.P.Muker Jee to uphold the cause of Praja Parishad has cemented the ties of the state with Bharat.

The Parishad feels that some forces in the state are still thinking of limited accession of the State with Bharat. Parishad is convinced that complete accession cannot be restricted or limited. In the present circumstances there can be a no peaceful and honourable life for the people of the state in the State. The jurisdiction and power of the Supreme Court have been curtailed to prevent effective enforcement of fundamental and other rights and full control over the State High Court regarding the appointment and removal of its judges differently than the rest of Bharat has been retained in order that the local judiciary may not become truly

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independent and embarrass the Executive authorities.

Govt. spokesman in the State are intermingling Integration of the State with Bharat with that of merger of the State with Bharat. Parishad knows the differences and they have all along been fighting for the complete Integration of the State with Bharat like all other 'B' class state.

The General Council of Praja Parishad re-liberates their stand and resolves that limited accession will not ensure to the people of the State what they have been striving for and a full and complete accession with its implications can only create a sense of peace harmony and security in the State. It will also put an end to the off repeated intrigues of foreign diplomats in the state. It will also maintain the nice balance of adjustment in the Indian Constitution.

The All J&K National Conference alleged that Praja Parishad was advocating for the return of monarchy and undoing of land reforms in the State. In reply to these allegations Sh. Om Parkash Mengi-General Secretary of Parishad issued the following statement[97]:-

Statement issued by Sh. Om Parkash Mengi.

Om Parkash Mengi, General Secretary, All J&K Praja Parishad Jammu on 3rd November, 1954.

A reference to the historic Praja Parishad movement has been made in a resolution of the National Conference general council at Srinagar.

The allegation that Parishad advocates the return of monarchy and the undoing of the land reforms in the State, is an absolute lie. Our stand regarding headship of the State has repeatedly been made clear that in this respect

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Jammu & Kashmir State be treated like other States in India.

Our criticism of the State Government's land reforms has come out to be correct in the very words of the government's appointed Wazir committee. It is absolutely wrong to say that the Parishad stands for dispossession of the peasant's newly acquired lands.

Parishad's stand regarding the accession issue is now well known to every body in this country. We stand for full and final accession of the State of J&K with Indian Union and the application of the Constitution in its entirety to this State. This in no way means complete merger, but it surely fails to accommodate the unpatriotic stand of independence and loose relationships of the State with the Union.

The success of our struggle is clearly indicated by the fact that these who once stood for State's limited accession, today take pride in denouncing their previous policies and declarations to which they themselves were a party.

All these allegations aim only at maligning Praja Parishad -the only and the strongest opposition in the State.

Parishad is proud to proclaim that it exists for the noble and patriotic cause of unification of the State of Jammu & Kashmir with mother India and shall consider no sacrifice too great to achieve this end.

sd/ Om Parkash Mengi
General Secretary
All J&K Praja Parishad Jammu. 77

The people of Jammu had a number of grievances against

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the then State Government. These were as under[98] :-

Grievances of the People of Jammu

1. The Prime Minister of Kashmir, Sheikh Mohammad Abdullah was an absolute stranger, a communal valley based leader who had "failed to win the confidence of the people of Jamu".

2. He (the Sheikh) wielded unrestricted powers with arrogance and that his administration was reflection of administrative corruption and political high-handedness which "began to percolate outside the State".

3. The special status given to Jammu and Kashmir State under Article 370 of the Indian Constitution kept under temporary provision was not acceptable to the Sheikh without giving the Article a permanent place in the said Constitution. But it was not accepted in the light of the fact of the limited accession of the State. Article became an anathema to the Hindus of Jammu who began to seek its abrogation from its very birth.

4. The Jammu Hindus also charged the people's Government with the allegation that the money flooded into the State from the Centre was utilized in the development of the valley and very little was spent in Jammu.

5. His demand for Independent Kashmir was also a reaction to growing Hindu chauvinism in India and Jammu.

6. Sheikh Abdullah was characterised as a rapid communist even by Nehru.

"Communism was a disease with him and he would never get rid of it, and his entire outlook and behaviour was based on the fact that Kashmir valley had a Muslim majority".

7. Valley based leadership had always remained a frog in

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the well with its narrow local nationalistic outlook. It could not extend its influence to other parts of the State. It had generated regionalism in all the three units of the State, Jammu, Kashmir and Ladakh and as such it failed to democratise the political structure of the State, safeguard the rights of the people therein as well as ensuring impartial administration of justice and guarantee them some sort of autonomy.

8. By the New Kashmir Plan of planned economy, the people of Jammu and the Kashmiri pandits were "The hardiest hit. materially as well as psychologically by Sheikh Abdullah's Plan".

9. Under New Kashmir scheme of abolition of landlordism by giving land to tillers and of forming cooperative associations, the Sheikh's Government first abolished the landlordism in April 1948. On July 13, 1950 the Government introduced land reforms in the entire State. The abolition of Big Landed Estates Act, 1950 made individual holding of more than 182 kanals illegal. The landlord was not allowed to keep more than 160 kanals. of agriculture land, 8 kanals of land for vegetable gardens, 4 kanals of residential site and 10 kanals of orchards. The rest of the land was to be transferred to the actual tiller with proprietary rights. The abolition of the landlordism was done without compensation.

The main complaint of the minorities was that majority of the landlords and the Sahukars were Hindus to whom no compensation was paid. Besides, when the law was put to operation, it was found that most of the distributable land had already been allotted to non-deserving people. Thus one of the reasons for resentment among the Hindus

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against the Government was the abolition of landlordism done with the spirit of communalism.

10. It was also said that in spite of the generous flow of money into the State from the Government of India, the State had not been registering an advance in its economic growth with the result that due to constant strains and pressures, the government found itself incapable of tackling issues. Its net result was discontent and crisis.

11. The Jammu people, it has been said, were deprived politically and economically. They were denied their due share either in the power structure or in the economic reforms. As a deprived section, all the Hindus were concentrated in Jammu province which became the centre of protest.

12. The demand for plebiscite voiced by the Sheikh in his public speeches, as promised by the Government of India and according to the United Nations' Resolution, was feared by the people of Jammu and Ladakh. The very idea of plebiscite hung like a sword of Demorles over their heads. They feared that the plebiscite, if allowed, would be in favour of Pakistan which they would at no cost agree to accept. The transfer of power from Jammu based Dogra house to the Valley based National Conference, headed by Sheikh, and his majority of coreligionists through democratically constituted could never be tolerated by the Hindus of Jammu Province who used to be always loyal to their rulers. They saw in the new shift a reversed regional power imbalance which generated in them a psychological vacuum to be filed only when the Sheikh could be removed.

13. The above factors were the root cause of the

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turmoil which disturbed the Jammu province from the very beginning since in the Parliamentary democracy, the rule of the majority prevails. It naturally went in favour of the Muslim majority population of the State which the Hindus had been fearing from the very beginning of the freedom struggle. In order to regain their erstwhile position now under the patronage and with the support of Hindu India and also the Central Government, the Jammu people began, on one or the other pretext, to protest against what they called the Muslim dominance and tyranny. For this purpose they adopted the course of Hindu Chauvinism in the State. ?They, in fact, generated the regionalism in the State. The State after 1947 was faced with regional tensions which was the cause of secessionism in the valley. Both these trends, the Hindu chauvinism and the Muslim sentiments which manifested 'mutual adjustment" and formed a process of cumulative chain reactions.

14. In his interview to Davidson, the Sheikh advocated for an Independent Kashmir. "And, thanks to our Prime Minister, the Constituent Assembly, has already made Kashmir Independent through Article 370, which gives all powers regarding the State of Jammu and Kashmir to the Constituent Assembly of the State and the present cabinet and the President of Indian Republic will have no powers at all".

15. The Sheikh had declared July 13 as the official "Martyras Day" all over the State, which the Hindus could never accept as such because for them "the Mohammadan agitation in Kashmir could not have flourished in the State and there would have been no Muslim Conference which was later named the "National Conference", led by Sheikh Mohammad Abdullah, who continues to be even today the

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Communist leader that he was in July, 1931.

16. The condition of the minorities in Kashmir was so better, if not worse, than that in Pakistan; only the methods employed were much more sinister.

17. The minority community had been deprived of all their professions or jobs or sources of income under one pretext or the other and everything was done in the name of New Kashmir.

18. As regards the Government services, the Sheikh's administration had totally changed the criterion of merit and efficiency required for the appointment and new promotions and appointments had been made indiscriminately without any criterion.

19. As regards the land, the share of landlords in the produce had been reduce from one half to one fourth. But this too was not allowed to be given to landlords of the minority community by National Conference workers. Even those Hindu landlords who used to cultivate their lands themselves were no longer allowed to do it. Many fruit gardens belonging to minority community were brought to the ground. This led a large population to starvation and then to death.

20. As regards trade, since most of the important commodities had been converted into state monopolies and under control and those few things that were not under control would be freely imported to jammu from where under system of priorities the members of the majority community could have permits very easily and only those Hindus could get permits who became a party to mechanisation of those who ran the entire supplies and transport departments. Also under the system of nationalised transport only those

could

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Hindus could get their goods transported who could manage things with power that be.

In this context the All J&K Praja Parishad had, however, adopted the following eight point programme for the acceptance otherwise they were to perform satyagrah[99] :-

Eight point programme of the All J&K Prajaparshid

1. Full integration of the State into the Indian Union;

2. If there was to be a limited accession of Kashmir then Jammu and Ladakh should be permitted to integrated fully;

3. The Indian Constitution to be applied to the State in full;

4. The Supreme Court of India to have a full jurisdiction;

5. The Constituent Assembly to be re-elected in fair election;

6. The custom barriers between Kashmir and India to be eliminated;

7. Kashmir to adhere to the same 'The State, Central and concurrent lists of subjects as the other Indian States: and

8. The charges of corruptions against the State regime to be investigated by an impartial Tribunal".

Pt. Prem Nath Dogra and Dr. S.P.Mukerjee met at Jullunder Punjab Jana Sangh session on November 8, 1952 and discussed the Plan for the Satyagrah.[98]

Meanwhile the Emblem Committee report had been submitted to the Kashmir Consembly on Nov. 12, 1952 for consideration. Sheikh Mohammad Abdullah then said that[100] :[99]

"The Emblem of the State of J&K shall be shield like figure with three equidistant horizontal strips and a

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a lotus in full bloom on its top with two ploughs facing each other around its edges, the whole surrounded by two ears of corn with the inscription 'Jammu and Kashmir' at its bottom as per design;

The resolution was put to vote and was adopted unanimously on the same day i.e. Nov 12, 1952[101].

The following resolutions were then passed by Shri Amar Kashtriya Prantik Sabha Jammu, the copies of which were sent to the President of Indian Republic:-

RESOLUTIONS

Under the leadership of Sheikh Mohammad Abdullah, the bogus Consembly has quite contrary to expectations and assurances of Hon'ble Prime Minister of India and government of India, manoured to misuse the Session of Consembly to hurry through two basic resolutions whereby under heated passion of revenge and long cherished personal spite and prejudices, the State Emblem has been changed and contrary to the implications of constitutional alliance between the State and the Indian Union. When the former has acceded to the latter and the hereditary monarchy has been terminated contrary to all cannon of constitution and procedure thus throwing a challenge to the Constitution of India itself. The speech of Sheikh Mohammad Abdullah made on the introduction of his resolutions is fabrication of lies and is Gall and Wormwood and full of venomous abuse and recriminations against not only Maharaja Harisingh Ji and the House of Maharaja Gulab Singh, but against Dogras and Rajputs in particular. It is a known fact of History that Maharaja Gulab Singh Ruler of Jammu founded the State of Kashmir by conquests and thus brought under one unifying control different political entities which

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were made into one State of Jammu and Kashmir. Sheikh Abdullah and his Cabinet are the creation of Maharaja Harisingh and the Constitution has come into existence at the word of Yuvaraj Karan Singh (a minor) so it does not possess constitutional powers like Consembly of India which on the termination of British rule framed a Constitution for the Union of India where as Sh.Abdulla's Consembly was not competent so to frame without the Constitutional Head. Maharaja's consent, whose sovereignty exists, the adoption of these resolutions has created an intricate position vis-a-vis Union of India and its Constitution and has cause wide spread resentment in the people of State and the Dogras in particular. The Rajputs are quite alive to the moving spirit of the time and democratic needs of the present days, but what S.M.Abdullah has been doing past four and half years and what his nominated consembly have done, has amply demonstrated the inner working of his biased mind. The Sabha after careful, thorough and due consideration surveying the several events since October 1947 upto date has come to the unavoidable conclusion that the attempt of Sheikh Abdullah and his Government has been from the very beginning to wreak the vengeance on Rajputs in general and the Ruling House in particular.

To establish for personal end a Republic of State within the Republic of India, thereby dragging one State into a honestness to communistic ideology which no citizen of State can allow to shape. It is, therefore, hereby resolved, that since the two resolutions adopted by this bogus Consembly are direct challenge to our self respect, rejection of Constitution of India altogether. We most

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respectfully appeal to the President of India to intervene and annual the resolutions adopted by the unrepresentative Kashmir Assembly and restore and maintain the integrity of state by continuing the hereditary monarchy as well as the flag so long as the latter is not replaced by the Constitutional decisions of Indian Parliament and treat the State of Jammu and Kashmir as full fledged part B State for all intents and purposes.

That in view of the behaviour of Sheikh Abdullah and his government and Consembly the people of Jammu shall have to consider whether they can continue giving support to a Government that has struck at the very roots of unification and internal solidarity.

Sd/-

Sr. Amar Kashtriya Prantik Sabha Jammu Tawi.

Copy to the:

1. The Hon'ble President of India, Republic of Bharat, New Delhi.
2. The Hon'ble Prime Minister of India,
3. The Hon'ble Minister of States, Govt. of India.
4. The Hon'ble Defence Minister, Govt. of India.

Pt. Prem nath Dogra and Pt. Sham Lal Sharma were however, arrested on November 21, 1952 and the agitation started with following demands[103] :-

a. To settle the issue of accession one for all without further leaving it to uncertain future;

b. To make it certain as to when the Pak-held Kashmir was liberated;

c. To clearly and categorically set the constitutional relationship between the State and the Centre with a view

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to ensuring the oneness of India at all costs and, as such, the right of citizenship, jurisdiction of Supreme Court and of the functions of High Court, power of the President, National Planning and financial integration are give a final shape in the relationships; and

d. To investigate by appointing an impartial commission the grievances of the people of Jammu regarding their economic advancement, employment, rehabilitation, division of border districts on communal lines".

L.Durga Dass Verma, however issued following appeal to journalists all over India to give a coverage to the Praja Parishad movement in J&K State[104]:-

AN APPEAL TO JOURNALISTS ALL OVER

BHARAT

BY

L.DURGA DAS VERMA

GENERAL SECRETARY

ALL JAMMU AND KASHMIR PRAJA PARISHAD, JAMMU

Dear Friends,

I address to you from that unfortunate part of the motherland which is engaged in a heroic fight against the tyrannical rule of one party dictatorship; the state of Jammu and Kashmir.

Even since our appearance on the political horizon of the State as an political opposition; to exercise necessary check and bring to public light all the omissions and commissions of the party - in - power for the healthy function of the Democratic order of the state; we have made an ceaseless endeavour to justify our existence as such.

Apart from the fact that in discharge of our democratic

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duty to establish stable and clean political life in the state the expected, essential Government cooperation was never extended, our demands and suggestions never cared for, repeated warnings not heeded to'; and above all we were never taken in the confidence as entitled to by virtue of being the only opposition in the state over the issue of accession, etc. which we genuinely feel effecting our very existence. In view of the bitter experience which we have had during the last so many years of our struggle with the National Conference, we are convinced that even the slightest support to it from howsoever an unimportant quarter in all probability will prove disastrous and endanger the security as also the integrity of the country at large.

In order to give a fresh repetition to what we have ventured to declare millions of times before, I reiterate it once more with full emphasis at my command; that no amount of suppression or humiliation can deter us in our path and compel us to compromise our stand. We cherish for a speedy integration with Bharat like other part B state, and aspire to enjoy the fundamental rights of the Indian Constitution as guaranteed and safeguarded by the august Supreme court of India.

Our only crime is that we have exposed the political intrigue in its nakedness, which Sheikh Abdullah and his lieutenants wanted to conceal in a very deceitful manner from those poor Indians, on whose blood and tail he has erected this fraudulent mansion. The present advantageous position that Sheikh Abdullah enjoys, let me tell you, friends; is the accident of history and conspiracy of circumstances.

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Try to understand this basic position of our movement before passing any verdict over it.

After having failed to crush the movement as claimed many a time quite egoistically by the executive authorities of the state they have furthered their undemocratic designs and served an unjust order over the local representative of the press agencies not to despatch any statement under my signature and that of our publicity secretary, so that the power mad ruler may get an free hand to suppress us without any knowledge to our brothern in India.

In all humility Friends, I appeal you to scrap this unjust undemocratic illegal order, accord due publicity to our despatches and statements and thus serve the cause of India, its unity and glory.

Should anti-Parishad accounts continue to appear in the press it will unfortunately hit hard and threaten Bharat's integrity. I believe, I am within right to expect a favourable response to my earnest and humble appeal.

Jai Bharat

sd/DURGA DASS VERMA
GENRAL SECRETARY
ALL JAMMU & KASHMIR PRAJA PARISHAD

Copy of the above forwarded to Editor Naya Samaj, Jammu for favour of perusal and publication.

Publicity Secretary
All Jammu & Kashmir Parja Parishad,
Jammu.

The following memorandum had been sent by Sh. Om Parkash Saraf the then Chairman P.S.P. J&K Jammu to Sadar-i-Riyasat J&K on November 25, 1952[105]:-

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MEMORANDUM TO THE SADAR-I-RIYASAT, JAMMU AND KASHMIR

A grave threat to democracy and civil liberties today exists in the Jammu and kashmir State which will be evident from the following acts of omission and commission in the recent time on the part of the National Conference Government:

1. Continuation of the old strangulating press laws inconsistent with the present democratic times. Recent ban on anti communist weeklies "Apna Sansar" and "Naya Samaj" for an indefinite period without administering any prior warning even once, illustrates the ruthlessness of these laws.

2. Forcing newsmen to send statements even in the name of third parties. For instance, the three statements said to have been issued by the Srinagar citizens, one Mr. Makhdoomi and a student leader regarding assault on Shri Ashoka Mehta were personally delivered by the Prime Minister, Mr.. Ghulam Mohd Bakshi, to the newsmen for onward despatch. Kashmir Information Bureau, New Delhi, also circulated similar statements in the name of Jammu citizens and the Jammu National Conference spokesman in the Delhi Press. The United Press of India is also being paid a handsome monthly amount of course not for nothing.

3. Dubbing Shri Jaya Parkash Narayan as an outsider and the Praja Socialist as political swindlers which of course paled insignificance in view of the most recent most shameful broad day light violent attack on Shri Ashoka Mehta and other Indian socialists including a respectable lady in the busiest centre of Srinagar.

4. Beating of almost half of the members of the P.S.P. State Executive, along with Shri Asoka Mehta, in

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which incidents despite Premier Bakshi's promise of a thorough inquiry, only some junior policemen are holding a routine investigation although serval high ups are involved.

5. Intensification of the reign of terror since assault on Shri Asoka Mehta, our Baramulla District organiser, Mr.. Mohd Subhan, was illegally detained while another worker, Mr. Shamas ud-Din was physically tortured. Citizens are being officially compelled to sign prepared statements "to save themselves the fate of Shri Asoka Mehta" Even members of the Assembly with a soft corner for the P.S.P. are being extremely harassed. The ruling party's official organ "The Khidmat wrote the other day that Shri Asoka Mehta's was "a warning" for other .It is now proved beyond doubt that the attack on Shri Asoka Mehta was engineered with a calculated view of demonstrate the determination of the men at the held of affairs to tolerate absolutely no physical existence of any opposition elements howsoever secular, democratic and progressive.

6. Miserable failure of the government to appreciate any reasonableness in any dissident voice at any time and always labelling it either as RSS or a Pakistani move. Thousands of tons of propaganda material of the enemy every day would not have done us the harm that the totalitarian rulers of the State are actually doing by showing themselves as the monopolistic of nationalism and all others who do not approve some of their policies are the enemy agents. A Government breeding on such a fanaticism is a real danger to democracy and a progressive social change.

7. The use of government men, material and influence

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to achieve petty party ends in opposition to the most legitimate activities of any section of the public. Srinagar Deputy Commissioner was recently made a member of the National Conference Election Board in the Town Area election at Anantnag. Likewise, the Jammu traders are being persistently told that they can secure a reduction in the present octroi rates only if they 'get' 'rid of' Lala Girdhari lal Anand as the President of the Jammu Chamber of Commerce who hold the socialist views.

Recruitment of services as well as promotions and punishments are also being motivated by party considerations. It is not without significance that your own declaration two years back regarding setting up of public services commission is still to be implemented.

8. Conceptions of internal autonomy as means to garb maximum autonomy for themselves alone refusing to decentralise it, rather using it to suppress the opposition elements. For instance, the exclusion of the State from the jurisdiction of the central audit does in no way add to the autonomy of the people but only empowers the State rulers to corrupt the people and strengthen the forces of totalitarianism.

9. Ever growing expenditure on the police and the publicity departments obviously to crush the people on one hand and not only vigorously proclaim it just the otherwise on the other hand but also most rapidly spread all falsehoods in regard to the activities of the opposition elements.

10. Discountinuancing popular cooperation even in the implementation of such useful schemes as the National Extension Service and the Community Projects and making

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them altogether subservient to the party considerations several Block Development Officers hold important party offices and in fact their only job appears to be the party work.

11. Deliberate delay in completing the constitution making task and prolongation of the Constituent Assembly as the Legislature for which purpose it was never convened. It is indeed amusing to find that the no confidence vote has been passed by the State Assembly against four M.P's fromthe State without having any such constitutional right while refusing the same right of recall to the people of the State who have been persistently demanding an early election. Mention may also be made here of our municipal committees, elections to which have not been held for the last about sixteen years.

This is not all what, I feel, can be Legitimately said against the National Conference Government in the State. Nor am I unmindful of the crisis our land is passing through at prsent. I am, however, convinced that never was there a greater urgency than at present for all of us to respect the values of democracy and civil liberties-the subject of my today's interview . The efforts of the State Government to suppress and malign my party are regrettable to say the least. I am indeed little interested in making any defence as such except expressing the belief that the policy and the programme of my party should always speak for itself. For your perusal and record I enclose the copies of the political resolution passed by us at our recent convention and the main speech by Shri Asoka mehta there. The state rulers are endeavouring hard to distort them and then exploit the distorted versions to mislead

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the people in believing something beyond facts.

The whole situations thus pregnant with far reaching repercussions and may sole purpose at the moment is to request you as the Head of the State to prevail upon the State Government to behave fairly and democratically.

sd/Om Parkash Saraf
Chairman
P.S.P.J&K Jammu
November 25,1954.

G.M.Bakshi issued a statement criticising the policies of the All J&K Praja Parishad. L.Durga Dass Verma, the then General Secretary of the Parishad issued the following statement about Bakshi's comments[106]:-

PRESS AND PUBLICITY SECTION
JAMMU & KASHMIR PRAJA PARISHAD JAMMU
Statement issued by L.Durga Dass Verma
General Secretary

Dated 30th November, 1952.

The November 29th, statement of Bakshi Gulam Mohammad, is deplorable. The accusations levelled against Parishad are a part of the old fraud of the present rulers of the State to mislead Indian Public opinion and secure support for the Republican Kashmir within Indian Union.

To say that Parishad movement "will only serve the interest of the enemies of State" and "weaken the State ties with India" is not only fantastic but beyond the understanding of every right thinking person.How contradictory and paradoxical, it is that the Government of which Bakshi Gulam Mohammad is an important mouthpiece, while denouncing us as reactionaries, communalists and agents of Pakistan, simply because we have been incessantly

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clanning for the applications of the most secular constitution of the world, swears a hollow loyalty to the same constitution.

The fact is that the Government by lining us with communal forces of India and the Pro Pakistan block in the U.N.PO. is simply harping on its old tune which we have buried long since. The present movement gives a lie direct to these charges.

The truth is that our life and death struggle for the last five years against the sinister designs of the party in power to keep the state independent of any Bhartya control, has fully exposed, its much talked of and so called pro Indian professions.

We challange the assertions of the Deputy Prime Minister to the effect that the "State accession with India is complete" and that the Union flag shall enjoy the highest place of honour", If he is honest and sincere, he should prove his bonafides by accepting our new point of complete and unconditional accession with Bharat andthe application of entire India's secular Constitution to the state or else stop levelling indecent charges, which have not even a grain of truth in them.

SD/Dura Dass Verma
Genral Secretary
All Jammu & Kashmir Praja Parishad,
Jammu

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INTEGRATIONALIST MOVEMENT IN JAMMU REGION

As already pointed out that the struggle for freedom and democratisation of the State administration in Jammu & Kashmir, which went back to the years of thirty's, had its origin in the widespread discontentment among the Muslim masses who then comprised of 78% of the population of the State and 89% of the population in Kashmir valley. The Muslims had very inadequate representation in the State services as well as in the economic and industrial life of the State. The bulk of the Muslim population were tillers, labourers and were the target of the exploitation. Agrarian discontentment and paucity of employment opportunity was the motivating force for the Muslim masses to agitate against the Dogra regime.[1] The struggle for freedom in Kashmir entered its crucial stage when the famous 'Quit Kashmir Movement' i.e. the transfer of powers to the people, was launched by the All Jammu and Kashmir National Conference in 1946. The State bureocracy was, then, bewilered at this new slogan and full of vengeance decided to crush the movement. Inspite of the reign of terror, arrest, prosecutions and deaths, the movement was a great success.

The popular sentiments in Jammu region believing the Hindu Maharaja as a symbol of security against the majority population of Kashmir region, however, sided with the Maharaja in his attempt to retain more and more power in pre-independence days. It then seemed to Dogra Nationalists that prospect of democracy in the State would be nothing more than being exposed to the whims of paramount majority of the State and its leadership.[2]

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However, just after the partition of British India, most of the princes of Indian States, acting in accordance with the provisions of the Cabinet Mission Plan[3] as well as keeping in view the considerations of geographical contiguity of their respective States, exercised their choice and acceded either of two, the then newly created dominions - India and Pakistan.[4] Some of these States which thought of going against their geographical positions, economic needs and historical and cultural affiliations were soon compelled by their people to make the correct choice.[5]

As already said, When the Maharaja of Jammu and Kashmir, who could not make decision about the accession because of demographic and geographical considerations and entered stand still Agreement with Pakistan, did not bow before the Pak pressure to accede to it, a massive attack in the form of Tribal invasion on Jammu & Kashmir State was launched by the Pakistan forces on October 25, 1947 to force its outright annexation. On October 15, 1947, thousands of armed Pakistanis comprising frontier tribesmen and aided by Pakistan army regulars in civilian clothes invaded Jammu and Kashmir and committed atrocities on the people. Pakistan organised a combined force consisting tribals as well personnel from its own army under the code name of 'Operation Gulmarg', devised, planned and led by Major General Akbar Khan (who had assumed the name of General Tariq) assisted by Brigadier Sher Khan.[6] The situation in Kashmir deteriorated further. The Maharaja's sole aim was to save his State at any cost. The Maharaja was, therefore, forced to offer the State accession to Indian Dominion.

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which alongwith Pakistan, became independent, self-governing dominions within the Commonwealth of Nations, on August 15, 1947.

After the Instrument of Accession was accepted by the Government of India and the State had acceded in Defence, Foreign Affairs and Communications, the Prime Minister of India agreed with the then Prime Minister of Kashmir - Mr. Mehar Chand Mahajan - that the military assistance would be extended to the Maharaja on the conditions that the internal administration of the State was democratised, that Sheikh Mohammad Abdullah was given the charge of State's administration and was made to shoulder responsibility alongwith the State's Prime Minister for the conduct of governmental affairs. Sheikh Abdullah was, however, not entrusted with the actual power until Indian forces had occupied the State territory beyond Uri and the Tribals had retreated.[7]

He also made it clear to Government of India that since Maharaja and his Prime Minister were responsible for the massacre of Jammu Muslims, both of them should quit the Office of the Administration was to go on smoothly.[8] By March, 1948, Mr. Mehar Chand Mahajan - the then Prime Minister of the State - was removed and Sheikh Abdullah took over as Prime Minister of the State in April, 1948.[9]

The Maharaja of Kashmir, who was persuaded by Sardar Patel and Gopal Swami Ayyander - the then Home Minister and

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the Minister of States of India respectively-to abdicate in favour of his son in May, 1949, left the State for health reasons after entrusting to Yuvraj Karan Singh all powers and functions in regard to State by appointing him as a regent.[10] After Maharaja Hari Singh's exit, Sheikh Abdullah and his National Conference became unquestioned political power in the State.

Soon after assuming powers, the National Conference leadership started accusing the Dogras of Jammu for massacring their Muslims brotherns in Kathua, Udhampur, Riasi and Jammu in 1947 without expressing even a word in the sympathy of Hindus massacred in Mirpur, Bhimber, Rajouri, Kotli and other places during that period.

In October, 1948 Pt. Nehru in a public speech at Lal Chowk, Srinagar, reaffirmed "that the only purpose for which the Indian army had entered the State was to clear it of the raiders and that it was India's cardinal policy that the people of State should decide through an impartial plebiscite whether they wanted to accede to India or Pakistan.[11]

After getting power, the National Conference Government led by Sheikh Abdullah, however, started the process of fulfilling its politico-socio-economic commitments made to the people of the State during its freedom struggle as well as incorporated in the Naya Kashmir programme of the party also. As a result the popular Government enacted the most desirable and progressive politico-socio-economic reforms viz. Grant of

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Fixity of Tennure to the Tenants in respect of Tenancy Holdings; Fixation of the Maximum Rent payable by the Tenants to their Landlords; providing for Summary Reinstatement of the Tenantes, who had been wrongly ejected, Restitution of Mortgaged properties; Relief to the Distrust Debtors, Abolition of Jagirs, Muaffies and Mukararies, the Big Landed Estates Abolition Act, 1950 etc. etc. All these measures had hit hard the economic interests of the Hindus of Jammu and adversely affected the economy of Jammu region, which further aggravated the hatred between Dogras of Jammu and Kashmir Nationalists of the Valley.

Moreover, the open and repeated condemnation of the Dogra Hindu rule and its rulers in the State, with whom the Dogras of Jammu had sentimental attachments, even after the establishment of popular Government by the National Conference leadership, not only hardened distrust of Jammu masses against them but also caused growing resentment in Jammu. In addition, the masses of Jammu complained the step-motherly treatment to their region in matter of economic development and deliberate denial of sharing of political powers.[12] The politics of the State then began to experience a new dimention - the politics of autonomy versus complete integration. The desire of the people of J & K for an autonomous State had figured in Kashmir politics long before the State acceded to India in 1947. That was why the Maharaja of Kashmir said to have surrendered only Defence, Foreign Affairs and Communications to the Government of India and in rest of the spheres he chose to be free and independent. This kind of accession is called 'limited

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accession' and it was endorsed by its people through their recognised leaders. The Muslims who could oppose it had been led to believe that there was a bright, glorious, prosperous, promising and safe future for them in going with India.[13]

On April 14, 1949, Sheikh Mohammad Abdullah was, however, reported to have given an interview to Michael Davidson and Ward Prince opting for an independent Kashmir as the best solution of the Kashmir problem. He demanded an immediate withdrawal of the officers who had so informed the Central Government. Pt. Nehru then deputed Mr. B.M. Malik - Asstt. Director of Indian Intelligence - for an enquiry while rejecting the views of those who charged Sheikh Abdullah of having supported the accession to India due to the pressure brought upon him by ~~tribe~~ tribal attack and not by his sincerity, Mr. Mullik reported to Pt. Nehru that "the accession to India was not a fortuitous decision brought about by the fear caused by the unprovocked invasion of the territory by Pakistan raiders, but was based on ideological grounds; and so when India was partitioned and Kashmir had to choose between India and Pakistan, Sheikh Abdullah would have chosen India, while insisting on a ~~sepacial~~ special Status for the Valley.[14]

Sheikh Abdullah, in order to remove the fear of life, honour, property and the sence of insecurity about the future of Muslims of the State and to ensure future security and protection to his co-religionists, publically voiced for limited accession of State to India. The National Conference

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leadership was of the view that "The freedom-loving people of Kashmir joined India on the condition that the State of Jammu and Kashmir must have a special status and the fullest autonomy so that the Muslim majority in the State may feel assured that Hindu dominated India was not going to interfere in their internal affairs.[15] Even Pt. Nehru had committed to the world and to his own nationm in a broadcast on November 2, 1947 that the fate of Kashmir was ~~x~~ ultimately to be decided ~~x~~ by the people of the State.[16]

Moreover, in order to give clean administration which enjoyed people's confidence, Sheikh Abdullah started pruning anti-national elements from the State administration. All this necessitated the charges in the State administrative set-up. The transfers of officials from one place and position to the other and placing men of confidence at strategic position. All these matters were vehemently opposed by the Hindus population of Jammu.[17] Besides, Sheikh Abdullah, in a public speech on Martyers Day in Srinagar, once again reiterated the people's right of self-determination. He added, "Kashmiris only will decide about Kashmir. Self-determination is the motto of democracy. We regret that Kashmiri people are not given opportunity for self-determination.[18]

Hence, Sheikh Abdullah's repeated accusation of Dogras of Jammu for massacring Jammu Muslims, his anti-Dogra bias; condemning Dogra ruler as alien in the Valley during freedom struggle, Quit Kashmir Movement of 1946, which Dogras

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of Jammu viewed as an attempt to eliminate their influence from Kashmir, his relentless advocacy for the principle of self-determination for Kashmiris and etc. etc. made National Conference not only a suspect in the eyes of Jammu Hindu who would have liked Jammu rule Kashmir rather than Vice-versa but further aggrevated the hatred between Dogras of Jammu and Kashmiri Nationalists of the Valley. All the anti-Jammu policies of the National Conference were vehemently criticised by the Hindus population of Jammu. In the absence of a powerful Hindu ruler and in search of security against the majority community of the State, the people of Jammu region decided to organise themselves to fight for their own rights and to safeguard their interests - economic and political.

In short, the strains and stresses of fast moving political events in 1947 and just after, the shift of political power from Jammu to Valley, a reaction to the aggressive trends in the local naturialism in Kashmir, a protest of a region which felt politically ignored and condemned not only hardened distrust of Jammu masses against Kashmiri Nationalists and caused growing resentment in Jammu but also gave rise to a popular movement in Jammu region. Dogra nationalists of Jammu, believing their greater security to be within Indian Union, demanded full integration of Jammu and Kashmir State with India. Thus, as a result of rise of regional nationalism in Jammu, a regional and a largely Hindu dominated political party - the All Jammu and Kashmir Praja Parishad - came into being in November 1947 on R.S.S.[19] base with the objective to develop political consciousness among the people of Jammu and also to safeguard their regional interests against the onslaught of Sheikh Abdullah and chauvnistic attitude of his party.[20] Professor Balraj Modhok, who was born

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in 1920 at Skardu in the Ladakh division of the State, taught at the Srinagar Dayanand Anglo-Vedic College, joined the R.S.S. as a youngman, a rallying point for R.S.S. activities during fighting between India and Pakistan in 1947, was an instrument in founding the party.[21] He became its first general Secretary and Hari Wazir was its first President. Wazir was succeeded by Lala Rupchand Nanda. His successor was Pt. Prem Nath Dogra, who was born in Jammu in 1883, prematurely retired from State service, ex-member of the Praja Sabha - the first State Legislature - Sarsanghchalak of the R.S.S. in the State from the time of its formation until it was banned in 1948[22] and continued t to be its President until it merged with Jana Sangh.

Although the R.S.S. constituted the backbone of the party, yet prominent leaders representing different sections of society also formed its support base. The party also got support from the expropriated landlords, who had lost their big-land estates without compensation and other communities of Jammu region who regarded the National Conference as anti-Dogra and anti-Maharaja.[23] There were then two main sections in the party. One section serving the cause of nationalism consisted of Roop Lal Nanda, Shiv Ram, Chatru Ram Dogra, Hari Wazir, Shri Bachan Singh Panchi, Sheikh Abdul Rehman, Madan Lal, Hakikat Singh, Dhanwanter Singh etc. The other serving the cause of Hinduism were Pt. Prem Nath Dogra, Rishi Kumar Kaushal, Shri Bhagwat Swaroop, Th. Baldev Singh, Dr. O.P. Mengi, Milkhi Ram, Durga Dass Verma, Balraj Madhok, Dr Ved Parkash Gupta, Sham Lal Sharma etc.[24]

The party believed in the ideology of Akand Bharat and supported a strong unitary state of India. It regarded that the Instrument of Accession signed by the Maharaja of Jammu and Kashmir

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and Governor-General of India a way back in October, 1947 was final, complete, legally valid and beyond question.[25] The party, therefore, was of the view that Kashmir in its entirety belonged to India and there was no question of a plebiscite in the State and the only matter remained to be settled was the full and complete evacuation of Pakistan from the area illegally occupied by her. While seeking security in the retention of the Maharaja as a constitutional head of the State, the party outrightly rejected the limited accession of the State to Indian dominion. The party then outrightly rejected the adoption of Article 370 of the Constitutional of India, which conferred a special status on the State and granted permission to the State to have its own constitution. The party demanded the application of the Constitution of India on the State in its entirety. It, therefore, sponsored a campaign for abrogation of Article 370 of the Indian Constitution believing that the erosion of the Special Status to the State would eventually lead to the transfer of power from Srinagar to Delhi which would reduce the former's capacity to dominate over Jammu.

The All Jammu and Kashmir Praja Parishad, thus, became not only the principal opposition party of Jammu region, the local instrument of its protest but also a party to spearhead the integrationist movement at the regional level.

Sheikh Mohammad Abdullah was totally against the full application of the India Constitution to Jammu and Kashmir. In order to counter the All J & K Praja Parishad he declared[26]

"If there is no special status for Kashmir in Indian Constitution, how can we go to Muslims in Kashmir and

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convince them that India does not interefer in the internal affairs of Kashmir.... We have acceded to India in regard to defence, foreign affairs and communications and not in respect of other subjects because we wanted ~~one~~ some kind of autonomy for ourselves in internal matters."

When the Security Council of United Nations organisation, to whom the question of Pakistan's aggression on Kashmir was referred, found itself incapable of arriving at a decision in the near future, the people of the State were left to ~~themself~~ themselves to find ways and means to put an end to the agony and uncertainty to which they were then placed. Even Sir Owen Dixion's report was against the very objective on which the people of J & K State reposed faith in U.N.O. ~~thus~~ thus in order to put an end the State of uncertanity, wait and see, frustration and agony and fully recognising the right of self determination of the people of the State, the General Council of the All J & K National Conference issued a mandate to the Supreme National Executive of the party on October 27, 1950 to convene ~~the~~ Constituent Assembly based upon adult suffrage and embracing all sections of the people and all constituents of the State for the purpose of determining the future shape and affiliations of the State of J & K.[27]

The All J & K Praja Parishad and the All J & K Sahayak Sabha ~~critised~~ criticised and condemned such a move when all the political parties of the State had already given a unanimous verdit for its accession to Indian Union. They regarded it another move for an 'Independent Kashmir'.[28]

On the other hand, in order to prove the plebiscite in Kashmir ~~reciundent~~ redundant in the light of democratic set-up, Govt. of

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India too agreed with the All J & K National Conference to convene its Constituent Assembly for framing its own Constitution which was thought to be the first important landmark towards making Jammu & Kashmir an autonomous State. It was also in consonance with the programme of Naya Kashmir which the National Conference was committed to implement.[29]

The Working Committee of the All J & K Praja Parishad unanimously passed a resolution on March 10, 1951 praying the Govt. of India to delete Article 370 from the Constitution of India and requested the Government of Jammu and Kashmir to recommend its deletion. The Parishad leaders also demonstrated against it by organising protests, hartals and public meetings that they were not at the back of this sinister move of separation of the State from Indian Union rather they openly opposed it.[30]

Meanwhile Yuvraj Karan Singh, the Regent of Jammu and Kashmir State and the son of His Highness Hari Singh - the last Dogra Maharaja - issued a proclamation for the convening of the Constituent Assembly on April 30, 1951.[31] The All J & K Praja Parishad, which had previously criticised the convening of Constituent Assembly to draft a separate constitution for the State, at its Working Committee meeting on May 8, 1951 decided to contest the election and demanded representation in Delimitation Committee, which consisted of Mr. Justice M.A. Shahmiri - a Judge of the J & K High Court - and four other members of the rank of Dy. Commissioners from Revenue Department. Soon after its leadership charged the National Conference and its Government of malafide tactics, number of irregularities and dubious methods in Jammu elections.[32] Pt. Prem Nath Dogra,

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President of the party, in a press release at Delhi on October 6, 1951 mentioned the following malafide tactics used by the Government :-

i) Not holding elections in the provinces of Kashmir and Jammu simultaneously;

ii) Irregular Delimitation;

iii) No general seat in three constituencies;

iv) Out of the way polling stations;

v) 41 out of 65 nominations of Praja Parishad candidates being rejected on the most flimsy grounds;

vi) Favour towards the National Conference candidates; and

vii) official interference."[33]

He also met Mr. Gopala Swami Ayyanger, the then Minister of States, and reported about all these irregularities and made the following suggestions[34] :-

i) To hold an independent, judicial inquiry into the rejection of the nomination papers of the Praja Parishad candidates in all the 27 constituencies from where it had originally put up its candidates;

ii) To appointed some Supreme Court Judges to conduct the elections in Jammu, to assure ~~prejudice~~ perfect ~~impartiality~~ impartiality; and

iii) To prevent Government servants from working for candidates of any party in the State.

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The General Secretary of All J & K Praja Parishad in a letter to State Election Commission dated December 5, 1951 made the similar complaints.[35] The party's Working Committee met on September, 1951 in Jammu and adopted a resolution, giving an ultimatum to the Government to set right the deliberate rejections of Party's candidates uptil September 27, 1951 noon, failing which it might go to the extent of boycotting the elections.[36] The party ultimately in a telegram to Prime Minister of India on October 12, 1951 boycotted the election under protest. The Constituent Assembly, therefore, consisting of 75 National Conference nominees as its members.

Meanwhile a few Pro-parishad students staged a demonstration and registered a protest against the hosting of the National Conferences flag in a function held at G.G.M. Science College on January 5, 1952.[37] This led the arrest of Pt. Prem Nath Dogra and other parishad leaders. The head lama of Ladakh Kushak Bakula said,.... "Kashmir Valley might in case of a U.N. plebiscite, choose to opt for Pakistan. In that case... there can be no question of Ladakh being dragged into Pakistan.... Ladakh... would sooner join with Tibet."[38] He further suggested.....the break up of the present territories of the State of Jammu and Kashmir into Kashmir valley, Jammu and Ladakh- with the first continuing its present status and the latter two according to Bharat as directly and fully as any other constituent of our federation, seems the only way out of the perplexities of the people of Jammu and Ladakh.[39]

On the other hand Mirza Mohd. Afzal Beg, the then Chairman of the Basic Principles Committee declared in the Kashmir Consembly on March 24, 1952 that the State of Jammu and

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Kashmir would be an autonomous Republic within the Indian Union, with a separate president, National Assembly, Judiciary, Regional Autonomy and a separate citizenship.[40] Beg's statement was deeply resented not only in Jammu and Ladakh but throughout India and it created serious apprehension about the credibility of the National Conference leadership. Mr. Durga Das Verma, the then General Secretary of the Praja Parishad said, "We have decided to pool all resources to fight against the dangerous designs of the party in power which wants to make the State a sovereign Republic.[41]

Mr. N.G. Ayyanger, the then Minister of States of India, who visited Jammu in April 1952 to study the situation and to cool passions, advised the framer of the State Constitution to be practical and not led by shibboleths and theocratic ideas and rather display a measure of political wisdom.[42] At ~~this~~ his instance the Parishad leaders were released. As a result the National Conference leadership in general and Sheikh Mohammad Abdullah in particular ~~felt by such a~~ felt this as central intervention.[43] The subsequent political developments, activities and utterances of even some of the top National Conference leadership had ~~xxxx~~ encouraged the disruptive forces to make a fresh attempts to disintegrate the State. Sheikh Abdullah was said to be drifting away from the rest of India and even Jammu and Ladakh regions. In a sensational speech on April 10, 1952 at R.S. Pura Sheikh Mohammad Abdullah, while referring to 'unrealistic, childish and ~~insane~~ insane" arguments for full application of the Union Constitution to the State, he said :

"No one can deny that the Communal spirit still exists in India. Many Kashmiris are apprehensive as to what will

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happens to them and their position if, for instance, something happens to Pt. Nehru....As realists, we, Kashmiris, have to provide for all eventualities. If a special status for Kashmir was not granted in Indian Constitution, how can we convince the Muslims in Kashmir that India does not interfer in the internal affairs of Kashmir? We have acceded to India in regard to defence, foreign affairs, and communications in order to ensure a sort of internal autonomy....If our right to shape our own destiny is challenged and if there is a resurgence of communalism in India, how are we to convince the Muslims of Kashmir that India does not intend to swallow up Kashmir.....Such developments might lead to a break in the accession of Kashmir to India.[44]

He repeatedly assured his people in Kashmir that he had never surrendered to Muslim communalism of Pakistan and would never surrender to Hindu Communalism of India.[45]

He further said :

"If Jammu and Ladakh so desire they can integrate with India and leave Valley free to have a limited accession.[46]

In another speech on April 18, 1952, while addressing a mammoth public meeting at Hazratbal, he said that Kashmiris in no way were prepared to renounce their cherished ideology in furtherance of which they had affored blood and sweat during the two decades. He further added that Kashmir had acceded to India

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in respect of only three subjects - Defence, External Affairs and Communications and that they enjoyed complete freedom in their internal affairs and had the right to shape their destiny according to the wishes of the people.[47] In another speech at Hazaratbal on April 25, 1952 he, while discussing Indo-Kashmir relations, pointed out that the whole world was aware of their policy that the Consembly would decide three important issues - framing of Constitution, the future of the ruling dynasty and the accession of the State.[48]

These speeches caused an uproar in some parts of the State and the Indian press and the public opinion was also much agitated. Meanwhile the Constituent Assembly unanimously passed a resolution adopting a flag for the State replacing the Dogra flag on June 7, 1952. It also restricted the use of Union flag to formal occasion. Pt. Prem Nath Dogra in a statement said that the decision of the Constituent Assembly was narrow sighted and ill-conceived and reflected one party's ideology, that solely comprised the Kashmir consembly. He further added that the provocative decision of constituent Assembly had caused deep resentment throughout and particularly in the province of Jammu.[49] On the other hand an iterim report recommending the abolition of hereditary monarch and the elected head of the state was presented to the Consembly by the basic principles committee on June 10, 1952[50] and it was unanimously adopted on June 12, 1952[51] While condemning such decisions the Praja Parishad leaders ~~pointed~~ pointed out that the people of Jammu were being made to cry for self-determination, and that the will of the Kashmir Valley people could not be forced on the people living outside it.[52]

In a 22-point memorandum submitted to the then President

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of India, Pt. Prem Nath Dogra - the President of the All J & K Praja Parishad on June 19, 1952, pointed out that recommendations to make Kashmir as an Autonomous Republic within Indian Republic with separate National Assembly, president and judiciary and subsequent speeches of Sheikh Mohammad Abdullah had made it clear that National Conference wanted a very loose relationship and not full accession like other Part 'B' States.[53] Pt. Prem Nath Dogra then left for Delhi to meet Pt. J.L. Nehru to appraise him the new situation created in the State.[54] A compaign was then started throughout Jammu province to get 5 lacs of signature in support of the memorandum to the President of India.[55]

Shri Amar Kshatriya Prantik Sabha, Jammu also resented these decisions and passed resolutions against them, the copies of which were sent to the members of Government of India.[56] The telegrams based upon the resolutions were also sent to the Prime Minister of India, Dr Katju, N. Gopalaswamy Ayyanger, Yuvraj Karan Singh and other top leaders of political parties of India.[57]

Praja Parishad leadership declared its opposition to separate head of the State (i.e. S-I-R), a separate flag for J & K State because these would encourage fissiparous temdences, by keeping alive a feeling of separatism which would endanger future safety and security of India. The party, therefore, considered essential that the State should be brought fully under the Constitution of India. 'Ek Desh Mein do Vidhan - In one country two constitutions; Ek Desh Mein Do Nishan - In one country two flags; Ek Desh Mein Do Pradhan - In one country two Presidents Nahin Challengay Nahin Challengay - will not be tolerated...." became the battle cry of the party.[58]

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The State Constituent Assembly, however, could not get the satisfaction of the accession which Sheikh Abdullah thought was impolitic and inexpedient....without getting a prior reciprocal approval for the State's special status within the Indian Union which he felt was necessary to ensure the safety, security and well being of its Muslim majority.[59]

In order to resolve the differences between the Centre and the State an official deputation of Kashmiri leaders was summoned by Centre on June 12, 1952 which arrived on June 17, 1952 and held a series of discussions with the Government in order to resolve the constitutional dead lock. Sheikh Mohammad Abdullah also joined them on July 17, 1952. Preliminary discussions were held from 12 to 20 June, 1952, between the Government of India and Kashmiri delegation headed by Mr. M.A. Beg. A further discussion took place between Pt. Nehru and Sheikh Abdullah from July 16 to July 27, 1952. All this resulted in Delhi Agreement, 1952.[60]

This agreement India agreed and reiterated its solemn pledge to give the State a special status in its constitution. This would guarantee complete internal autonomy to the State. The hereditary ruler was to be replaced by an elected head of the State. The fundamental rights incorporated in the Indian Constitution were to be applied to the State, subject to the provision that they would not disturb the programme of land reforms. The jurisdiction of the Supreme Court was to be limited, as regards the State, to inter-state disputes, fundamental rights and to matters of defence, foreign affairs and communications. The Union Government agreed to the State's retaining its own flag, but insisted that the supremacy of the National flag should be

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recognised. The power to reprieve or commute death sentences would belong to the President of India.[61]

The Praja Parishad was of the view that Nehru-Sheikh Accord (Delhi Agreement of 1950) was another surrender at the alter of communal instransigence and separatism of Sheikh Mohammad Abdullah, a fraud on Indian people and an attack on Indian Constitution. Pt. Prem Nath Dogra declared that ~~Parish~~ Praja Parishad would launch a satyagrah if the Agreement was enforced.[62]

On the other hand the inhabitants of Doda district too being much agitated and emphasized that as they had peculiar local problems and historically, geographically and culturally were quite different from their neighbouring unit, they could not in any way be attached with the cultural unit of Jammu. While stressing that they must be given the status of a separate cultural unit, they demanded the State to be divided into as many as five cultural units - Kashmir, Jammu, Poonch, Rajouri, Ladakh, and Doda - in the future constitutional set-up of the State. Each such unit legally having equal status would enjoy autonomy in the conduct of their internal affairs including maintenance of law and order within their own limits.[63]

There was a deep resentment in Ladakh also and events had taken somewhat similar turn as in Jammu. Kushak Bakula, the head Lama, voiced the feelings of the people of Ladakh when he declared that in the event of Kashmir drifting away from India, the Ladakhis would break their connection with the State and merge with the Indian Union.[63]

On the other hand the valley too was not calm. An opposition group Awami Conference under the leadership of Kh. Umar

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Bhat was allowed to come into existence within the ranks of National Conference. Pro-Pak elements were also encouraged by happenings in Jammu and they demanded secession. The Nationalist group demanded maximum autonomy for the State. Regional sentiment helped to fragment popular discontent and regional tension brought the regional cordiality to an end.[64]

Criticising the Agreement in the Parliament Dr Shyama Prasad Mukerjee advocated Kashmir's complete integeration with India or alternatively self-determination for Jammu and Ladakh.[65]

Neither the Government of J & K nor the Government of India paid any heed to the Praja Parishad demands. On the other hand Sheikh Abdullah at once gave effect to those provisions of Agreement of 1952 which symbolised the separation of the State from India. But no further action was taken by the State Government with regard to its other provisions particularly the transfer of Control of the State telegraph and telephone departments to centre, financial integration, application of fundamental rights, extension of jurisdiction of Supreme Court of India to the State. Sheikh Abdullah was, therefore, accused of ignoring those provisions of agreement which confirmed Kashmiri's ties with India.[66]

The people of Jammu had a number of grievances against the then State Government. These were as under[67] :-

1) The Prime Minister of Kashmir, Sheikh Mohammad Abdullah, was an absolute stranger, a communal Valley based leader who had "failed to win the confidence of the people of Jammu."

2) He (the Sheikh) wielded unrestricted powers with

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arrogance and that his administration was reflection of administrative corruption and political high-handedness which "began to percolate outside the State."

3) The special status given to Jammu and Kashmir State under Article 370 of the Indian Constitution kept under temporary provision was not acceptable to the Sheikh without giving the Article a permanent place in the said Constitution. But it was not accepted in the light of the fact of the limited accession of the State. Article became an anathema to the Hindus of Jammu who began to seek its abrogation from its very birth.

4) The Jammu Hindus also charged the people's Government with the allegation that the money flooded into the State from the Centre was utilized in the development of the Valley and very little was spent in Jammu.

5) His demand for Independent Kashmir was also a reaction to growing Hindu chauvinism in India and Jammu.

6) Sheikh Abdullah was characterised as a rapid communist even by Nehru.

"Communism was a disease with him and he would never get rid of it, and his entire outlook and behaviour was based on the fact that Kashmir Valley had a Muslim majority."

7) Valley based leadership had always remained a frog in the well with its narrow local nationalistic outlook. It could not extend its influence to other parts of the State. It had generated regionalism in all the three

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units of the State, Jammu, Kashmir and Ladakh and as such it failed to democratise the political structure of the State, safeguards the rights of the people therein as well as ensuring impartial administration of justice and guarantees them some sort of autonomy.

8) By the New Kashmir Plan of planned economy, the people of Jammu and the Kashmiri Pandits were "the hardest-hit materially as well as psychologically by Sheikh Abdullah's Plan."

9) Under New Kashmir scheme of abolition of landlordism by giving land to tillers and of forming cooperative associations, the Sheikh's Government first abolished the landlordism in April, 1948. On July 13, 1950 the Government introduced land reforms in the entire State. The abolition of Big Landed Estates Act, 1950 made individual holding of more than 182 kanals illegal. The landlord was not allowed to keep more than 160 kanals of agriculture land, 8 kanals of land for vegetable gardens, 4 kanals on residential site and 10 kanals of orchards. The rest of the land was to be transferred to the actual tiller with proprietary rights. The abolition of the landlordism was done without compensation.

The main complaint of the minorities was that majority of the landlords and the Sahukars were Hindus to whom no compensation was paid. Besides, when the law was put to operation, it was found that most of the distributable land had already been allotted to non-deserving people. Thus one of the reasons for resentment among the Hindus

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against the Government was the abolition of landlordism done with the spirit of communalism.

10) It was also said that in spite of the generous flow of money into the State from the Government of India, the State had not been registering an advance in its economic growth with the result that due to constant strains and pressures, the Government found itself incapable of tackling issues. Its net result was discontent and crisis.

11) The Jammu people, it has been said, were deprived politically and economically. They were denied their due share either in the power structure or in the economic reforms. As a deprived section, all the Hindus were concentrated in Jammu province which become the centre of protest.

12) The demand for plebiscite voiced by the Sheikh in his public speaches, as promised by the Government of India and according to the United Nations' Resolution, was feared by the people in Jammu and Ladakh. The very idea of plebiscite hang like the sword of ~~Democles~~ Damocles over their heads. They feared that the plebiscite, if allowed, would be in favour of Pakistan which they would at no cost agree to accept. The transfer of power from Jammu based Dogra House to the Valley based National Conference, headed by the Sheikh, and his majority of coreligionists through democratically constituted could never be tolerated by the Hindus of Jammu Province who used to be always loyal to their ruler. They saw in

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the new shift a reversed regional power imbalance which generated in them a psychological vacuum to be filed only when the Sheikh could be removed.

13) The above factors were the root cause of the turmoil which distrubed the Jammu Province from the very beginning since in the parliamentary democracy, the rule of the majority prevails. It naturally went in favour of the Muslim majority population of the State which the Hindus had been fearing from the very beginning of the freedom struggle. In order to regain their erstwhile position now under the patronage and with the support of Hindus, India and also the Central Government, the Jammu people began, on one or the other pretext, to protest against what they called the Muslim dominance and tyranny. For this purpose they adopted the course of Hindu Chauvinism in the State. They, in fact, generated the regionalism in the State. The State after 1947 was faced with regional tensions which was the cause of secessionism in the Valley. Both these trends, the Hindu chauvinism and the Muslim sentiments which manifested "mutual adjustment" and formed a process of commulative chain reactions.

14) In his interview to Davidson, the Sheikh advocated for an Independent Kashmir. "And, thanks to our Prime Minister, the Constituent Assembly, has already made Kashmir Independent through Article 370, which gives all powers regarding the State of Jammu and Kashmir to the Constituent Assembly of the State and the present

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cabinet and the President of Indian Republic will have no powers at all."

15) The Sheikh had declared July 13 as the official "Martyrs Day" all over the State, which the Hindus could never accept as such because for them "the Mohammadan agitation in Kashmir could not have flourished in the State and there would have been no Muslim Conference which was later named the "National Conference", led by Sheikh Mohammad Abdullah, who continues to be even today the Communist leader that he was in July, 1931."

16) The condition of the minorities in Kashmir was no better, if not worse, than that in Pakistan; only the methods employed were much more sinister.

17) The minority community had been deprived of all their professions or jobs or sources of income under one pretext or the other and everything was done in the name of New Kashmir.

18) As regards the Government services, the Sheikh's administration had totally changed the criterion of merit and efficiency required for the appointment and new promotions and appointments had been made indiscriminately without any criterion.

19) As regards the land, the share of landlords in the produce had been reduced from one half to one-fourth. But this too was not allowed to be given to landlords of the minority community by National Conference workers. Even those Hindu landlords who used to

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cultivate their lands themselves were no longer allowed to do it. Many fruit gardens belonging to minority community were brought to the ground. This led a large population to starvation and then to death.

20) As regards trade, since most of the important commodities had been converted into State monopolies and under control and those few things that were not under control could be freely imported to Jammu from where under system of priorities the members of the majority community could have permits very easily and only those Hindus could get permits who became a party to machinations of those who ran the entire supplies and transport departments. Also under the system of nationalised transport only those Hindus could get their goods transported who could manage things with powers that be."

In this context the All J & K Praja Parishad had, however, adopted the following eight-point programme for the acceptance otherwise they were to perform satyagrah[68] :-

1. Full integration of the State into the Indian Union;
2. If there was to be a limited accession of Kashmir then Jammu and Ladakh should be permitted to integrate fully;
3. The Indian Constitution to be applied to the State in full;
4. The Supreme Court of India to have a full jurisdiction;
5. The Constituent Assembly to be re-elected in fair

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election;

6. The custom barriers between Kashmir and India to be eliminated;

7. Kashmir to adhere to the same 'The State, Central and concurrent lists of subjects as the other Indian States; and

8. The charges of curruption against the State regime to be investigated by an impartial Tribunal."

Pt. Prem Nath Dogra and Dr S.P. Mukerjee met at Jullunder during Punjab Jana Sangh session on November 8, 1952 and discussed the plan for the Satyagrah. Pt. Prem Nath Dogra and Pt. Sham Lal Sharma were, however, arrested on November 21, 1952 and the agitation started with following demands[69] :-

(a) To settle the issue of accession ~~one~~ once for all without further leaving it to uncertain future;

(b) To make it certain as to when the Pak-held Kashmir ~~was~~ is liberated;

(c) To clearly and categorically set the constitutional relationship between the State and the Centre with a view to ensure ~~the~~ my oneness of India at all costs and as such, the right of citizenship, jurisdiction of Supreme Court and of the functions of High Court, power of the President, National Planning and financial integration are give a final shape in the relationships; and

(d) To investigate by appointing an impartial commission

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the grievances of the people of Jammu regarding their economic advancement, employment, rehabilitation, division of border districts on communal lines."

Satyagrah was organised on the issues that Sheikh Mohammad Abdullah minimised the State in the name of secularism, that there was utilitarianism in the name of democracy; that Civil liberties had been crushed; that efforts were being made for carving out an independent Kashmir; that Delhi was a betrayal and that situation was developing into such a direction as would elevate the State to the status of a sovereign State, with its independence guaranteed by the People's Republic of China and the USSR, besides India and Pakistan.[70] The other issues raised up against Sheikh Abdullah related to the gerimendering of Hindu majority areas for election purposes; making Urdu compulsory subject for all, distribution of key posts among Muslims and sacrificing the interests of non-Muslims. The Sheikh Abdullah was, therefore, charged with anti-national tendencies, taking away Kashmir from India.[71] Even one of his cabinet Ministers Sham Lal Saraft was encouraged to oppose Sheikh Abdullah for his making highly inflammable public speeches and for authoritarian attitude in the Cabinet. He resigned from the Cabinet saying that "I hold my post as a trust from the people, especially the minority communities, to which I happen to belong, and it becomes my duty not to betray this trust at a moment of crisis.[72]

The movement soon assumed, serious proportions and its repercussions were felt outside the State also. Anti-Kashmir feelings in Jammu developed anti-Muslims overtones, while anti-Jammu reactions in the Valley tended to become

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anti-Hindu and hostile to rest of the country. By December, 1952, the whole of Jammu province was ablaze. The agitation had assumed into formidable dimentions. The agitators were met with arrests and punish-ments, the Praja parishad had full moral and material sympathy and support from Hindus all over the country. It had unflinching support of national parties like Jana Sangh, Ram Rajya Parishad, Hindu Maha Sabha and Akali Dal. The leaders of these parties even courted arrests in support of Praja Parishad's protest in Jammu.[73] The Kashmir Nationalists and autonomists were of the view that the Praja Parishad agitation was basically an emotionally oriented disgruntlement against the Valley based leadership in the State. They pointed out that from the very beginning of their freedom struggle, the Kashmiri leaders had never received an open minded and voluntary offered hand of cooperation from the Jammu Hindus. The Jammu Hindu mind was observed with the fear of Muslim majority in the event of Dogra rule was over. This obsession had never permitted them to accept the realities of time. They could not tolerate to see State Government headed by Sheikh Abdullah whom they considered the archenemy of the Dogra ruler. The parishad agitation was, therefore, essentially anti-Kashmiri, anti-Muslim and anti-autonomous in its nature, character, aims and objectives.[74] The Kashmiri leadership said that the agitation was politically a regionally oriented aspiration for the attainment of an identity separate and distinct from that of Kashmiri identity, and at the same time, not having any appreciation for composite nationalism, a characteristic feature of India's secular polity. They added that the separatist objective of the agitation was evident in its declaration to put an end to Sheikh Abdullah and other workers

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Meanwhile the National Conference Govt., of Jammu and Kashmir declared to adjust ~~of~~ grip about adjustment of the boundaries of various districts of Jammu region. P.P. termed such a move to carve out predominantly Muslim zones out of the areas which were over-whelmingly non-Muslims in Jammu province. The State Govt., however, issued following Statement of denial: ——

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of the National Conference. We shall suck their blood. We will root out this Government and send them to Kashmir. We do not like this Raj.[75] Dr S.P. Mukerji, the then President of Bhartiya Jana Sangh, entered into a long correspondence with Pt. Nehru and Sheikh Mohammad Abdullah but nothing substantial came out.

It was during these days that Dr S.P. Mukerjee was authorised by his Jana Sangh Party either to seek redressing of the grievances of the Jammu people or to launch a Satyagrah in India in support of the Praja Parishad agitation.[76]

In his presidential address at the Kanpur session of the Jana Sangh Dr S.P. Mukerjee said :—

"....We are often told that if there is any ~~Hindue~~ undue pressure for the application of the Indian Constitution to Jammu and Kashmir, the Muslim of Kashmir valley may break away from India, this ~~agreement~~ argument is totally unintelligible. If our constitution had been so devised as to make Muslims feel nervous about their future fate or about possibility of their receiving equal treatment, one could have understood the force of the argument. When, however, that is not so, what can possibly be the ground for this hesitation?.... Let me repeat and state categorically that I do not want Jammu and Kashmir to be partitioned. But if Sheikh Abdullah is adament, Jammu and Ladakh must not be sacrified but Kashmir Valley may be a separate State within Indian Union receiving all the necessary subvention and being treated constitutionally in such a manner as Sheikh Abdullah and his advisors may wish for....."[77]

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Finally, Dr S.P. Mukerjee in his letter to Pt. Nehru on February 17, 1953, which he had written to him in reply of his letter dated February 15, 1953, offered the following 10-point formula[78] for his consideration as first step for the withdrawal of Parishad agitation :-

"1. The movement is withdrawn.

2. Order for the release of Prisoners is given and there will be no victimisation.

3. You and Sheikh Abdullah call a conference, say, after a fortnight where all political and constitutional matters are discussed with an open mind.

4. Both parties reiterate that the unity of the State of J & K will be maintained and that the principle of autonomy will apply to the province of Jammu as a whole and of course also to Ladakh and Kashmir Valley.

5. The new constitution to come into force as soon as possible and elections to take place within, say, six months.

6. Question of flag is to be clarified and India's flag should be in use everyday just as in done in all other parts of India.

7. Implementation of the July agreement will be made at the next session of J & K Constituent Assembly after the issues left vague have been properly clarified. In respect of fundamental rights, citizenship, supreme court, president's powers, financial integration, conduct of elections,

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provisions of the Indian Constitution will apply. Exception, however, may be made with regard to conditions for acquisition of land.

8. The terms of reference of the commission of enquiry will be widened and all grievances will be examined by it.

9. The Commission now includes 4 persons, Chief Justice, Accountant General, Chief Conservator of Forests and Revenue Commissioner. The last three gentlemen are administrative officers under J & K State and they can hardly inspire confidence. The Commission should be reconstituted with 2 judges from India and the Chief Justice of J & K so that its ~~impartiability~~ impartiality and representative character may not be questioned.

10. Regarding finality of accession and other political matters, the Conference will consider these points from every aspect and agreement sought to be reached which will be in the best interests of India including J & K.

Pt. Nehru, however, did not respond to Mukerjee's offer ~~officer~~ to withdraw the agitation. The Parishad agitation was growing in its intensity. There was a danger of the movement erupting into violence. In order to prevent it Dr S.P. Mukerjee deputed Mr. Trived and Mr. Deshpanda to Jammu to exert their influence to prevent this. But they were refused permission to enter Jammu and Kashmir. Mookerjee, therefore, decided to go to Jammu himself without applying for a permit. He pointed out "Mr. Nehru has repeatedly declared that the accession of the State of Jammu and Kashmir has been hundred percent complete

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It is strange to find that one cannot enter the State without a previous permit from the Government of India. The permit is even granted to communists who are playing their usual role in Jammu and Kashmir, but entry is barred to those who think or act in terms of Indian Unity and nationhood. I do not think that the Government of India is entitled to prevent entry into any part of the Indian Union which, according to Mr. Nehru himself, includes Jammu & Kashmir of course, if anyone violates the law after entering any State, he will have to face the consequences."[79]

Dr S.P. Mukerjee, alongwith U.M. Trivedi the then M.P. and Vaid Guru Dutt left Delhi for Jammu on May 8, 1953. On May 10, 1953 when they were passing through Punjab enroute to Jammu Mukerjee received a message from Sheikh Abdullah saying his visit to Jammu would be inopportune. Nonetheless they proceeded and the moment they crossed the Ravi River at Madhopur at 4 p.m. on May 11, 1953 they were arrested under Public Safety Act and Mukerjee placed under house arrest at Srinagar.[80] His arrest had added fuel to the fire. The agitation took such a serious turn that it almost paralysed the entire State apparatus. Almost every part of Jammu region, from city to was virbrant with mass upsurge. Chamb, R.S. Pura, Sunderbani, Samba, Akhnoor, Jourian, Kishtwar, Hiranagar, Udhampur, Basohli, Reasi etc. were places where people were killed and injured by firing. Lathi Charges on processions had become a normal feature of life.[81] Since the agitation had attracted popular support of almost all non-Muslims from every part of India, it had shattered the Sheikh's faith in Indian secularism. He advised the people of Kashmir not to get upset over the

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agitation of the reactionary and communal forces in Jammu.[82] He said :-

> "We faced and weathered many storms and were successful and we shall weather this storm as well. When the people of Kashmir had met the challenge of the Muslim League and Muslim National Guards, they would not be afraid of the challenge of the Praja Parishad and other communalists who were really the "Muslim National Guards' in Hindu Garb."

In his public speechs Sheikh Abdullah warned India of grave consequences if the Hindu communalism was permitted to continue its virus against Muslims. This attitude of Sheikh Abdullah was not liked by the Indian leaders. Even Maulana Abul Kalam Azad was sent to Kashmir to persuade him to be moderate in his critisam of Hindus and not to take the matter to the extereme.[83]

Mukerjee fell ill shortly after his arrival at Srinagar incustody. He complained of pain in his right leg in late May, 1953. He developed a fever and chest pain which was diagnosed 'dry pleurisy' on June 22, 1953. He was removed fr the cottage to the State Hospital in Srinagar. At 3.40 a.m. June 23, 1953 he got sudden heart attack and died. As a rest of his sudden death the whole of North India was plunged in profound grief and submerged by a kind of anti-Nehru and anti-Sheikh wave. Praja Parishad refused to believe that death occurred in natural circumstances. It was described as deat in mysterious circumstances.[84] The rumblings of similar reactions were also heard in the Frontier district of Lad

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Mukerjee's death and the circumstances surrounding it, had given rise to many rumors that he was murdered or that when he became sick was allowed to die. Pt. Prem Nath Dogra and other India leaders accompanied the deadbody of ~~Drs. P.~~ Dr. S.P. Mukerjee flown to Calcutta, his home town. In the middle of air journey, Pt. Prem Nath Dogra was dropped at Udhampur. He was then taken to Delhi, where D.P. Dhar, the then Dy. Home Minister of the State wanted to negotiate with him for the withdrawl of the Praja Parishad agitation. But Pt. Prem Nath Dogra refused to negotiate with him as he was only Deputy Minister. As a result Bakashi Ghulam Mohd. the then Home ~~Minister~~ Minister of the State, flew to Delhi and met him and pressurised him to withdraw the agitation. Keeping in view the changed circumstances he made certain commitments.[85] Moreover, as a mark of respect to the departed soul, Pt. Prem Nath Dogra called off the agitation for thirteen days to express grief and sorrow.[86]

After the death of Mukerjee there abruptly occurred a change in the attitude of the Congress Government, headed by Pt. Nehru. For the first time Pt. Nehru realised that a large number of people in Jammu had suffered and that "whatever our countrymen suffer, we share, to some extent, that suffering.[87] In an appeal he advised the Praja Parishad leaders to end the conflict and return to the normal ways of peaceful and ~~c~~ cooperative politics. Meanwhile, Sheikh Abdullah had a prolonged discussion with Adlai Stevenson, a democratic leader of U.S.A., who visited Srinagar. It was said that the two leaders had thoroughly discussed the Kashmir problem and one of the alternative solutions concluded was the possibility of an independent Kashmir with an international guarantee by Big

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powers. Sheikh Abdullah was suspected of a 'mischief' which the Government of India was not ready to permit him at any cost. His removal was the only wayout if national interest was to be saved by means of keeping the State of J & K safe in Indian grip.[88] The orders of the dismissal of his ministry were issued by the Sadar-i-Riyasat and were served to him on August 9, 1953 at Gulmarg.[89] On the other hand the Parishad leaders seemed to be satisfied with the dismissal of Sheikh Abdullah's ministry and his subsequent arrest on August 9, 1953. They promised to support to the then newly constituted State Ministry head by Bakshi Ghulam Mohammad. The force and intensity of the agitation was, therefore, relaxed. On July 7, 1953 the party officials announced that agitation was called off temporarily with the hope that the grievances of the people of Jammu would be redressed and their demands met by the then new Government head by G.M. Bakshi.[90] The Praja Parishad also resolved to continue to press for the full accession of Kashmir to India. Pt. P.N. Dogra and G.M. Bakashi - the new P.M. of the State - however agreed in ~~xxxxx~~ December 1953 to drop the Satyagraha, withdraw the cases against the demonstrators and restore their civil rights. The Parishad leadership actually fell in the trap of Bakashi who required their support to consolidate his own position particularly in the Valley.[91]

In order to get a wider support of the Indian masses for the people of Jammu who were agitating not only for complete integeration of the State with Indian Union but also a share in State's political power, the R.S.S. element in the Praja Parishad succeeded in affiliating the party with Bhartiya Jana Sangh.[92] The All J & K Praja Parishad then stated

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operating as de-facto Jana Sangh united in the State.[93] Pt. Prem Nath Dogra then toured throughout India and attended the meetings of the Bhartiya Jana Sangh at the National level. The three slogans of Parishad - one president, one flag and one constitution for the whole of the country had raised the stature of Pt. P.N. Dogra at the national level also.[94]

After the resignation of Pt. Mouli Chander Sharma from Presidentship of Bhartiya Jana Sangh, who succeeded Dr S.P. Mukerjee, the choice fell on Pt. Prem Nath Dogra. Technically, it was not possible for him without merging his party with the Jana Sangh. Thus R.S.S. element under the guidance of Prof. Balraj Madok who had been compaigning since long for the complete merger of Praja Parishad with Jana Sangh, finally succeeded in merging the former with the latter on February 20, 1964 in a party session held at Akhnoor (Jammu) and presided over by Sh. Din Dayal Upadhaya, the then General Secretary of the All India Jana Sangh.[95] Mr. Chhatru Ram Dogra, Shiv Ram Gupta alongwith a handful others had opposed this move of merger, simply because the party would not only lose its regional character, its Muslim membership, who dubbed Jana Sangh as a communal party, but a strong force protecting the interests and aspirations of the Jammu region.[96] They were of the view that with its merger with Jana Sangh the channel for redressal of grivances of the Muslims masses in Jammu against the aggressive trends of the National Conference Government, would be closed. They would then look towards the communal, anti-India and secessionist outlest in the Vellay.[97] But the proposal was ultimately carried out with majority support.[98] With that action the Jana Sangh had its units in most of the Hindu

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dominated belt of Jammu regions.

The integrationalist movement in Jammu region was then spear headed by Bhartiya Jana Sangh, whose policy with regard to Kashmir had been consistent, rigid, clear cut and influenced by its ideology of Akhand Bharat.[99] Any talk of the special status of the State, and consembly making a separate constitution for it were an anathema to the party. It had consistently regarded the accession of the State to the Union of India as final, complete, legally valid and beyond question.[100]

At present B.J.P., being the subscriber to the same ideology of Akhand Bharat, is looking after the Integerationist movement in Jammu regions.

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INTEGRATION IST MOVEMENT IN JAMMU REGION

As already pointed out that the struggle for freedom and democratisation of the State administration in Jammu & Kashmir, which went back to the years of thirty's, had its origin in the widespread discontentment among the Muslim masses who then comprised 78% of the population of the State and 89% of the population in Kashmir valley. The Muslims had very inadequate representation in the State services as well as in the economic and industrial life of the State. The bulk of the Muslim population were tillers, labourers and were the target of the exploitation. Agrarian discontentment and paucity of employment opportunity was the motivating force for the Muslim masses to agitate against the Dogra regime[1]. The struggle for freedom in Kashmir entered its crucial state when the famous "Quit Kashmir Movement" i.e. the transfer of powers to the people, was launched by the All Jammu and Kashmir National Conference in 1946. The State bureaucracy was then bewilered at this new slogan and full of vengeance decided to crush the movement. In spite of the reign of terror, arrest, prosecutions and deaths, the movement was of a great success.

The popular sentiments in Jammu region believing the Hindu Maharaja as a symbol of security against the majority population of Kashmir region, however, sided with the Maharaja in his attempt to retain more and more power in pre-independence days. It then seemed to Dogra Nationalists that prospect of Democracy in the State would be nothing more than being exposed to the whims of paramount majority of the State and its leadership[2].

However, just after the partition of British India, most of the princes of Indian States, acting in accordance with the provisions of the Cabinet Mission Plan[3] as well

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as keeping in view the considerations of geographical contiguity of their respective States, exercised their choice and acceded either of two, the then newly created dominions-India and Pakistan[4]. Some of these State which thought of going against their geographical positions, economic needs and historical and cultural affiliations were soon compelled by their people to make the correct choice[5].

When the Maharaja of Jammu and Kashmir who could not make decision about the accession because of demographic and geographical considerations and entered stand still Agreement with Pakistan, did not bow before the Pak pressure to accede to it, a massive attack in the form of Tribal invasion on Jammu & Kashmir State was launched by the Pakistan forces on October 25,1947 to force it outright annexation. On October 15,1947, thousand of armed Pakistanis comprising frontier tribesmen and aided by Pakistan army regulars in civilian clothes invaded Jammu and Kashmir and committed atrocities on the people. Pakistan organised a combined force consisting Tribals as well as personnel from its own army under the code name of 'Operation Gulmarg", devised, planned and led by Major General Akbar Khan (who had assumed the name of General Tariq) assisted by Brigadier Sher Khan[6]. The situation in Kashmir deteriorated further. The Maharajas role aim was to save his State at any cost. The Maharajas role aim was to save his State at any cost. The Maharaja was, therefore, forced to offer the State accession to Indian dominion which, along with Pakistan, became independent, self-governing dominion within the Commonwealth of Nations, on August 15,1947.

After the Instrument of Accession was accepted by the Government of India and the State had acceded in Defence, Foreign Affairs and Communications, the Prime Minister of India greed with the then prime Minister of Kashmir-Mr.

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Mehar Chand Mahajan-that the military assistance would be extended to the Maharaja on the conditions that the internal administration of the State was democratised, that Sheikh Mohammad Abdullah was given the charge of State's administration and was made to shoulder responsibility along with the State's Prime Minister for the conduct of governmental affairs. Sheikh Abdullah was, however, not entrusted with the actual power until Indian forces had occupied the State territory beyond Uri and the Tribals had retreated[6].

He also made it clear to Government of India that since Maharaja and his Prime Minister were responsible for the massacre of Jammu Muslims, both of them should quit the office of the Administration was to go on smoothly[7]. By March, 1948, Mr. Mehar Chand Mahajan-the then Prime Minister of the State- was removed and Sheikh Abdullah took over as Prime Minister of the State in April, 1948[8].

However, Shri Mithir Lal Chatterpathya-a member of Constituent Assembly of India, visited the Jammu & Kashmir in 1949. On the completion of his tour of the State submitted the following confidential report to the congress party in the constituent assembly, which was latter published by the 'Nation' of Calcutta[9]:

Shri Mithir Lal Chatterpathya-a member of Constituent Assembly of India, visited the Jammu & Kashmir in 1949. On the completion of his tour of the State submitted the following confidential report to the congress party in the constituent assembly. It was later published by 'Nation' of Calcutta.

Along with Dr. Raghuvira, M.C.A. I reached Jammu before the 12th of February. We stayed at the Cospolitin Hotel there. Traders, students, congressmen, members of the National Conference, Lawyers, Harijans, refugees from Mirpur and Poonch areas, women's branch of National Conference

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and people representing various interests came to meet us at the hotel. We visited the office of the National Conference and also took the opportunity to meet Sheikh Sahib at his residence. The people with whom we came in contact were all Hindus. We had neither opportunity nor time to meet the Muslims.

We found that Sheikh Sahib was highly respected by the Hindus, but they have numerous grievances against the administration. They are conscious that the present government should be strengthened by them in order to win the plebiscite. But surprisingly enough, we found that the Hindus without any exception spoke with disappointment about the prospect of winning the same. They were outspoken in their confirmed opinion that whatever Sheikh Abdulla might say, not many Muslims would vote in favour of India. This is their strong conviction acquired from their daily direct contact with the Hindu of the locality. They said that between Sheikh Abdulla and Maharaja, the people were overwhelmingly in favour of the former. But if it were a choice between India and Pakistan, not even ten per cent of Muslims would for India. This exertion by some responsible people, has really surprised us and we are hastening these lines to inform our Govt. about it.

The people of Jammu are very eager that there should be a separate plebiscite for the Province minus the Area now held by the Azad Kahmir Govt. Their opinion is that if separate voting is not arranged province of Jammu will be lost to India. They are hopeless about Kashmir but keen about Jammu getting joined to Indian Union.

People complained to us about open propaganda of Sheikh Sahib and his party for deposing the Maharaja. They are greatly disturbed about it and their fear as if the Maharaja is made to abdicate and the State also goes over to

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Pakistan, on account of the Plebiscite, the Hindus will have to migrate to India and the History of West Punjab will be repeated both as regards massacre and displacement of population. The demand of Sheikh Sahib to depose the Maharaja has made the Hindus panicky to the extent of what we have seen in the case of citizens of non regulated areas during the British Administration. The Hindus, for whatever reason it might be, considered that their future is blasted, in plain that the administration is autocrat, public opinion is smothered and there is no State at present. They complaint is that too much eagerness to appease Sheikh Sahib order to win the plebiscite through the strength of his personality has not been balanced by any enquiry as to how the minorities feel about the administration. They urged that important people from India should come and see their lot and acquire direct knowledge about their future Plebiscite without depending exclusively upon what the Govt. of Kashmir report about the matter.

In our talk with Sheikh Sahib, we found him over zealous about the abdication of the Maharaja. He holds him responsible for the massacre of Muslims in the State. He demands an enquiry and, if need be, a trial. He spoke in clear terms that if the Maharaja was not deposed, he could not with any certainty, sufficiently inspire the Muslims to vote for India and make sure of the victory. We were told by the people that open propaganda was being carried on by Sheikh Sahib and the National Conference to depose the Maharaja. We were further told that at mohalla meeting of the National Conference in Jammu City the resolution for the abdication was defeated by 18 votes to 3.

We need not say anything about the corruption in the administration as reported to us. But we felt outside people had not so far come much in contact with Hindu masses there. To get a correct idea as to how they feel

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some responsible people should go there and independently meet the people and form their opinion both about the administration and future Plebiscite.

They gave us some names, who in cooperation with the raiders and Pakistan army, were responsible for the massacre of innumerable Hindus, but they have been placed in responsible positions in the very same area, as the result of which refugees are reluctant to go back to their old places.

The people of Mirpur say that a very big number of their women were being held in the area now administered by the Azad Kashmir Govt. If provided military escorts, they are too eager to go and search them out.

It was a general complaint that the Govt. was partial towards the Kashmir Province as compared to Jammu. In Kashmir the supply of commodities is much better and the prices thereof are much cheaper though Kashmir is further off from India where from the supply goes.

They have begged of us that one or two important legislators and congress Leaders from India should visits Jammu and acquire direct knowledge of the place so that there may be no occasion to lament later on if even Jammu is lost to India in the Plebiscite.

In conclusion, I would like to mention that Kaviraj Vaishno Gupta, a refugee from Jammu living in Delhi, accompanied us after getting necessary permit. It is through his efforts and some others also that we could come in contact with large number of people representing various interest. The police at Jammu endorsed our permits on our return journey but this was not endorsed at that time on pretext of local enquiry. On reaching Delhi on the night of 13th Feb, I received a telegram informing that he has been arrested.

P.S. I am further informed that three M.L.A.'s one vice President, President of Jammu Municipality and a

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B.A., B.T. teacher have afterward been arrested.

The Maharaja of Kashmir who was persuaded by Sardar Patel and Gopal Awami Ayyander- the then Home Minister and Minister of States of India respectively to abdicate in favour of his son in May, 1949, left the State for health reasons after entrusting to Yuvraj Karan Singh all power and functions in regard to State by appointing him a regent[9]. After Maharaja Hari singh's exist, Sheikh Abdullah and his National Conference became unquestioned political power in the State.

Soon after assuming powers, the National Conference leadership started accusing the Dogras of Jammu for massacring their Muslims brotherans in Kathua, Udhampur, Riasi and Jammu in 1947 without expressing even a word in the sympathy of Hindus massacred in Mirpur, Bhimber, Rajouri, Kotli and other places during that period.

In October, 1948, Pt. Nehru in public speech at Lal Chowk, Srinagar, reaffirmed "that the only purpose for which the India army had entered the State was to clear it of the raiders and that it was India's cardinal policy that the people of State should decide through an impartial plebiscite whether they wanted to ~~acceded~~ accede to India or Pakistan[10].

After getting power, the National Conference Government led by Sheikh Abdullah, however, started the process of fulfilling its politico-socio-economic commitments made to the people of the State during its freedom struggle as well as incorporated in the Naya Kashmir programme of the party also. As a result the popular Government enacted the most desirable and progressive politico-socio-economic reforms viz. Grant of Fixity of Tenure to the Tenants in respect of Tenancy Holdings; Fixation of the Maximum Rent payable by the Tenants to their Landlords; providing for Summary Reinstatement of the Tenants, who had been wrongly

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rejected, Restitution of Mortgaged properties; Relief to Distrust Debtors, Abolition of Jagirs, Muaffies and Mukararies, the Big Landed Estates Abolition Act, 1950 etc. etc. All these measures had hit hard the economic interests of the Hindus of Jammu and adversely affected the economy of Jammu region, which further aggravated the hatred between Dogras of Jammu and Kashmir Nationalists of the valley.

Moreover, the open and repeated condemnation of the Dogra Hindu rule and its rulers in the State, with whom the Dogras of Jammu had sentimental attachments, even after the establishment of popular Government by the National conference leadership, not only hardened distrust of Jammu masses against them but also caused growing resentment in Jammu. In addition, the masses of Jammu complained the step-motherly treatment to their region in matter of economic development and deliberate denial of sharing of political powers[11]. The politics of the State then began to experience a new dimension- the politics of autonomy versus complete integration. The desire of the people of the J&K for an autonomous State had figured in Kashmir politics long before the State acceded to India in 1947. That was why the Maharaja of Kashmir said to have surrendered only Defence, Foreign Affairs and Communications to the Government of India and in rest of the sphered he chose to be free and independent. This kind of accession is called 'limited accession' and it was endorsed by its people through their recognised leaders. The Muslims who could oppose it had been led to believe that there was a bright, glorious, prosperous, promising and safe future for them in going with India[12].

However, the land lords of Jammu region had submitted the following representation to the Hon'ble Prime Minister of J&K Govt. Jammu in April 1950 but without any results[13]:—

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The Hon'ble Prime Minister,
Jammu and Kashmir Government, Jammu

Sir,

we the undersigned beg to state that from a perusal of a statement published in the issue of the Indian News Chronicle dated the 20th March 1950 we have come to know that the Jammu and Kashmir Government is going to become the proprietor of the land and also that land will be acquired without paying any compensation and also that no holder will possess land more than an economic holding prescribed for the purpose and that any land found in excess will be taken by the Government and distributed to tillers.

In this connection we beg to submit that residential plots purchased in the areas known as Rajbagh, Burzala Bhagat, Batwara, Seeopura, Boulevard Road, Nishat Road, Nagin Bagh, Nasim Bagh, Pahalagam, Gulmarg, Baramulla, Rehari Jammu and Nawabad Jammu are very costly plots in as much as they have been purchased at prices ranging from Rs. 500/- per kanal to Rs. 400/- per kanal. In this way people have spent several lacs of rupees on the purchase of these plots and some have even incurred very heavy amount of debt in purchasing these plots. These residential plots, due to adverse political situation of the country and also due to acute dearness of building material and the great financial stringency which the country is facing at present, have not been inhabited and the plots are lying vacant and are being tilled temporarily by tenants. If these plots are treated as an agricultural land and are acquired by the Government without paying any cost etc. it will mean a terrible loss to the proprietors and in some cases it will result in a complete ruin of those people who have made huge investment thereby raising heavy amount of debt. All the above noted areas fall within the proposed

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Municipal limits of Srinagar and Jammu. It is therefore requested that the residential plots which lie in the above mentioned localities may kindly be exempted from the operation of this law and people may on the other hand be encouraged in building houses thereon by adaquently laying out the area which would result in a decent and healthy extension of Srinagar and Jammu cities. Such a step would remove the congestion of the city and also solve the house problems which is worrying a great deal in these days due to the movement of refugee from one place to another.

The Government of India have definitely laid down in the Indian Constitution that no property will henceforth be acquired without paying proper compensation. Government of India are accordingly paying compensation in all the Provinces where the new Zamindari Bill has been introduced. People have spent crores of rupees on the purchase of agricultural land in the State and some have even spent their whole life earning in his connection. To deprive them from this well earned property without paying any compensation would simply bring ruin and disaster to the people who have invested money in land. If people are granted compensation they will be able to utilize money in some other manner and to take up some other pursuits. It is therefore, requested that the Government should take up the question of the grant of suitable compensation because otherwise it will be clearly high handedness on the part of Government which cannot be expected from any civilised Government.

It is also submitted that the economic holding of 12 acres and 8 acres fixed for lands in Jammu province and Kashmir province respectively is a very small one and no zamindar who mainly depends on his agricultural produce can meet his domestic expenses as regards feeding, education, marriage etc. The return of Jammu land is very

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poor and it has been experienced that people cannot even meet their domestic expenses out of 50 acres and 100 acres. Thus if the landlords are restricted and not allowed to utilize their total land they and their kith and kin will have to simply starve and beg from door to door. The Government instead of raising the standard of living of people will on the other hand lower the standard and finish it completely. It is therefore, requested that in order to avoid such a bad situation the area of economic holding may kindly be fixed with due regard to the necessity of family members which one has to feed. The necessity of future generation may also be kept in view. It is worth consideration how will the sons be able to meet their requirement after the death of their father who possess 12 acres of land and when every on of them has got sufficient family to feed. The answer is self evident.

Again if the Government wants to take the whole land it should also meet the liabilities of the people and also make suitable arrangements for meeting all necessary expenses of the family. It is therefore, requested that Kashmir Government should take action in this respect similar to Government of India.

Lastly the request is briefly summarised as under:

1. That the residential plots purchased by people at considerable cost may be exempted from the operation of this law.

2. That the area of economic holding may be raised so as to meet the full requirement of the family.

3. That the Government should give suitable compensation so that the people may be able to get some amount of their investment to do some other work and earn their livelihood in that manner.

We cannot help without remarking that the introduction of land reforms in the state at the present moment when

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the people are working in uncertain conditions and are very much handicapped in many respects is quite inopportune. At present there is much economic depression and it has become impossible to live even. Foremost attention of the government should be for the restoration of peaceful conditions in the State and not for creating more disorder friction and lawlessness. All that has been stated is a plain fact and can be verified by facts and figures.

Jammu the April, 1950

Yours faithfully,
sd/ Land-lords.

On April 14, 1949, Sheikh Mohammad Abdullah was, however, reported to have given an interview to Michael Davidson and Ward Prince opting for an independent Kashmir as the best solution of the Kashmir problem. He demanded an immediate withdrawal of the officers who had so informed the Central government. Pt.Nehru then deputed Mr. B.M.Malik-Asstt.Director of Indian Intelligence for an enquiry while rejecting the views of those who charged Sheikh Abdullah of having supported the accession to India due to the pressure brought upon him by tribal attack and not by his sincerity, Mr. Mullik reported to Pt. Nehru that "the accession to India was not a fortuitous decision brought about by the fear caused by the unprovoked invasion of the territory by Pakistan raiders, but was based on ideological grounds; and so when India was partitioned and Kashmir had to choose between India and Pakistan, Sheikh Abdullah would have chosen India, while insisting on a special Status for the valley[16].

Sheikh Abdullah, in order to remove the fear of life, honour, property and the sense of insecurity about the future of Muslims of the State and to ensure future security and protection to his co-religionists, publically voiced for limited accession of State to India. The National Conference leadership was of the view that "The freedom-

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loving people of Kashmir joined India on the conditioned that the State of Jammu and Kashmir must have a special status and the fullest autonomy so that the Muslim majority in the State may feel assured that Hindu dominated India was not going to interfere in their internal affairs[17]. Even Pt. Nehru had committed to the world and to his own nation in a broadcast on November 2,1947 that the fate of Kashmir was ultimately to be decided by the people of the State[18].

The following resolution had been passed in the general session of the All J&K Praja Parishad party in a meeting held in 1950[19]:

RESOLUTION

"The accession of the State with the Indian Union is the recognition of the principles that Bharat including Kashmir is one country and the corollary that the whole country should have one Constitution naturally follows. There cannot be two constitutional set up in the same country and if the principle is allowed to be compromised in respect of one part of the country it will encourage the other parts to follow the track and hence the national integrity will give away to the disruptive elements to play their mischief.

The article 370 of the Indian Constitution was a temporary measure as is evident from the speech of late Gopala Swami Aynger. Argument is advanced in favour of a separate constitution of State on the plea that their will be international complication that might rise in case request for separate constitution if not acceded. To us this has little meaning specially when Union Home and Prime Ministers have time and again pronounced that there will be no Plebiscite in the State. The whole contest of the problem has changed due to the entry of Pakistan in the Bagdad Pact. Moreover, the idea of separate constitution will continue to be used by anti-national element in the

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State that there is still some lacuna in the accession of the State with the Indian Union. To nip this sort of trouble Praja Parishad wants that adoption of separate constitution for the State will be inimical to larger interest of India.

Principally, historically and geographically Kashmir is a part of Bharat and hence the people living in Kashmir should also enjoy the same rights and has the same constitutional safeguards as the people living in the rest of India. To maintain the national integrity Kashmir should also have same constitutional set up as rest of country. This is the aspiration of the people living in Jammu and Kashmir State. It will restore normalcy and all uncertainty about the future of the State.

The General Session of Jammu & Kashmir Parishad views the present circumstances with great concern. The session firmly believes that the application of Indian Constitution in its entirety to the State can alone restore law and order in the State and thus created confidence among the people about their lot. The session make it clear that unless the constitution of Bharat is applied in toto to the State they would not be a party of would not suffer imposition of any step which is taken with a view to satisfy separatist and anti national tendencies.

Moreover, in order to give clean administration which enjoyed people's confidence, Sheikh Abdullah started pruning anti-national elements from the State administration. All this necessitated the changes in the State administrative set up. The transfers of officials from one place and position to the other and placing men of confidence at strategic position. All these matters were vehemently opposed by the Hindus population of Jammu[17]. Besides, sheikh Abdullah, in a public speech on Martyers Day in Srinagar, once again reiterated the people's right of

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self-determination. He added, "Kashmiris only will decide about Kashmir. Self-determination is the motto of democracy. We regret that Kashmiri people are not given opportunity for self-determination[18].

Hence, Sheikh Abdullah's repeated accusation of Dogras of Jammu for massacring Jammu Muslims, his anti-Dogra bias; condemning Dogra ruler as alien in the Valley during freedom struggle, Quite Kashmir Movement of 1946, which Dogra of Jammu viewed as an attempt to eliminate their influence from Kashmir, his relentless advocacy for the principle of self determination for Kashmiris etc. etc. made National Conference not only a suspect in the eyes of Jammu Hindu who would have liked Jammu rule Kashmir rather than vice-versa further aggravated the hatred between Dogras of Jammu and Kashmir Nationalists of the Valley. All the anti-Jammu policies of the National Conference were vehemently criticised by the Hindus population of Jammu. In the absence of a powerful Hindu ruler and in searches of security against the majority community of the State, the people of Jammu region, decided to organise themselves to fight for their own rights and to safeguard their interest-economic and political.

In short, the strain and stresses of fast moving political events in 1947 and just after, the shift of political power from Jammu to valley, a reaction to the aggressive trends in the local nationalism in Kashmir, a protest of a region which felt politically ignored and condemned not only hardened distrust of Jammu masses against Kashmiri Nationalists and caused growing resentment in Jammu but also gave rise to a popular movement in Jammu region. Dogra nationalists of Jammu, believing their greater security to be within Indian Union, demanded full integration of Jammu and Kashmir State with India. Thus, as a result of rise of regional nationalism in Jammu, a regional and a largely Hindu dominated political party-the All Jammu and

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Kashmir Praja Parishad-came into being in November 1947 on R.S.S.[19] base with the objective to develop political consciousness among the people of Jammu and also to safeguard their regional interests against the onslaught of Sheikh Abdullah and chauvinistic attitude of his party[20]. Professor Balraj Modhok, who was born in 1920 at Shardu in the Ladakh division of the state, taught at the Srinagar Dayanand Angle Vedic College, joined the R.S.S. as a youngman, a rallying point for R.S.S. activities during fighting between India and Pakistan in 1947, was an instrument in founding the party[24].

Prof Balraj Madhok, who met Shri G.S.Rajpal Secretary General External Affairs Ministry Govt. of India on 25th May, 1950, and discussed with him the Kashmir problem, wrote him the following letter on 27th May, 1950[25]:-

From:

Bal Raj Madhok
Organising Secretary,
Jammu & Kashmir Praja Parishad
C/o Paramount Press, Dariagang, Delhi.

To:

Sh. G.S.Bajpai,
Secretary General
External Affairs Ministry,
Govt. of India, New Delhi.

Dear Sir,

I beg to submit as 'aide-memoir' the gist of the points that I made out during my talk with you the 23.5.50 as also those which I could not touch due to shortage of time, regarding the view point of the Praja Parishad, the most representative organisation of India held Jammu province of the Jammu & Kashmir State, about the Kashmir problem.

1. The Praja Parishad would have liked the Government of India to not to risk a plebiscite in Kashmir at this or

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any future time. But since the government of India stands committed to it, it would be most impolitic and undemocratic to allow the predominantly Muslims population of Kashmir to decide the future of Dogras of Jammu or Ladakhis of Ladakh with whom they have nothing in common whatsoever by holding the Plebiscite taking the whole State as a unit. The choice of the people of Jammu and Ladakh to remain a part of India is clear and unequivocal. Therefore no plebiscite is needed there. If it must be held at all it should be confined to Kashmir valley alone.

2. Praja Parishad is as much opposed to the independence of the State as to its accession to Pakistan. It is therefore, perturbed by the subtle moves of Sh.Abdullah and his communist supporters to secure independence for the entire India held part of the state. Let the government of India and Sheikh Abdullah do whatever they think proper with kashmir valley. But nothing should be done to break the natural, historical, political, economic and cultural ties of the people of Jammu (from Pathankot to Banihal) and Ladakh with India.

3. Care should be taken to keep Bhadarwah (Hindu Majority) and Kishtwar (slight Muslim majority now due to immigration of Kashmiri Muslims), the two richest and strategically most important parts of Jammu with Jammu and Bharat. This is important because Sheikh Abdullah's Government has been trying in a very subtle way since its very inception to cut them off from the Hindu majority districts of Udhampur and thus destroy the territorial link between Jammu and Ladakh. They have been constituted by them into a new district of Doda whose Muslim population has swelled recently by Kashmiri Muslim immigrants from Kashmir valley from across the Banihal and other passes that link Jammu with kashmir valley.

4. In deciding the future of the State of taking any other decisive step concerning it the representatives of

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Praja Parishad should also be consulted. The government of India, I would like to assure you, can always depend upon Praja Parishad for anything for the good of India and the State.

I would like to post you with some more facts and therefore would request you to give sometime on some other day at your earliest convenience.

Date:the 27th May, 1950 Yours faithfully,
sd/ Balraj Madhok

He became its first General Secretary and Hari Wazir was its first President. Wazir was succeeded by Lala Rupchand Nanda. His successor was Pt. Prem Nath Dogra, who was born in Jammu in 1883, prematurely retired from State service, ex-member of the Praja Sabha-the first State Legislature-Sarsangh Chalak of the R.S.S. in the State from the time of its formation until it was banned in 1948[24] and continued to be its President until it merged with Jana Sangh.

Although the R.S.S. constituted the backbone of the party, yet prominent leaders representing different sections of society also formed its support base. The party also got support from the expropriated landlords, who had lost their big land estates without compensation and other communities of Jammu region who regarded the National Conference as anti-Dogra and anti-Maharaja[24]. There were then two main sections in the party. One section serving the cause of nationalism consisted of Roop Lal Nanda, Shiv Ram, Chatru Ram Dogra, Hari Wazir, Shri Bachan Singh Panchi, Sheikh Abdul Rehman, Madan Lal, Hakikat Singh, Dhanwanter Singh etc. The other serving the cause of Hinduism were Pt. prem Nath Dogra, Rishi Kumar Kaushal, Shri Bhagwat Swaroop. Th. Baldev Singh, Dr. O.P.Mengi, Milkhi Ram, Durga Dass Verma, Balraj Madhok, Dr. Ved Parkash Gupta, Sham lal Sharma etc[25].

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The party believed in the ideology of Akand Bharat and supported a strong unitary state of India. It regarded that the Instrument of Accession signed by the Maharaja of Jammu and Kashmir and Governor General of India way back in October, 1947 was final, complete, legally valid and beyond question[26]. The party, therefore, was of the view that Kashmir in its entirety belonged to India and there was no question of a plebiscite in the State and the only matter remained to be settled was the full and complete evacuation of Pakistan from the area illegally occupied by her. While seeking security in the retention of the Maharaja a constitutional head of the State, the party outrightly rejected the limited accession of the State to Indian dominion. The party then outrightly rejected the adoption of Article 370 of the Constitution of India, which conferred a special status on the State and granted permission to the State to have its own constitution

As given earlier the following is the text of Art 370 with a small background and its impact[27]-

SPECIAL PROVISIONS REGARDING THE STATE OF JAMMU AND KASHMIR

..The State of Jammu and Kashmir acceded to India on October 26,1947.The form of the Instrument of Accession executed by the Ruler of the State is the same as that of the Instruments executed by the Rulers of other acceding States. Legally and constitutionally therefore the position of this State is the same as that of the other acceding States. The Government of India, no doubt, stand committed to the position that the accession of this State is subject to confirmation by the people of the State. This, however, does not destruct from the legal fact of accession. The State has therefore been included in Part B States. In view of the special problem arising in respect of this State and the fact that the Government of India have assured its people that they would themselves finally

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determine their political future, the following special provision has been made in the Constitution:

370(1) Notwithstanding anything in this Constitution.

a) the provisions of article 238 shall not apply in relation to the State of Jammu and Kashmir;

b) the power of Parliament to make laws for the said State shall be limited to:-

i/ those matters in the Union List and the Concurrent list which, in consultation with the government of the State, are declared by the President to correspond to matters specified in the Instrument of Accession governing the accession of the State to the Dominion of India as the matters with respect to which the dominion Legislature may make laws for that State; and

ii/ such other matters in the said List as, with the concurrence of the Government of the State, the President may by order specify.

EXPLANATION: For the purposes of this article, the Govt.. of the State means the person for the time being recognised by the President as the Maharaja of Jammu and Kashmir acting on the advice of the council of Ministers for the time being in office under the Maharaja's proclamation dated the fifth day of Mach, 1948:

c) The provision of article I and of this article shall apply in repletion to that State;

d) Such of the other provisions of this Constitution shall apply in relation to that State subject to such exceptions and modifications as the President may by order specify;

Provided that no such order which relates to the matters specified in the Instrument of Accession of the State referred to in Paragraph (i) of sub-clause (b) shall be issued except in consultation with the Govt.. of the State;

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Provided further that no such order which relates to matters other than those referred to in the last preceding proviso shall be issued except with the concurrence of that Government.

2/ If the concurrence of the Government of the State referred to in paragraph (ii) of sub-clause(b) or in the second proviso to sub-clause (d) of clause (i) be given before the Constituent Assembly for the purpose framing the Constitution of the State is convened, it shall be placed before such Assembly for such decision as it may take thereon.

3/ Notwithstanding anything in the foregoing provisions of this article the President may, by public notification declare that this article shall cease to be operative only with such exceptions and modifications and from such date as he may specify.

Provided that the recommendation of the Constituent Assembly of the State referred to in clause (2) shall be necessary before the President issues such a notification.

The effect of this provision is that the State of Jammu and Kashmir, continues to be a part of India. It is a unit of the Indian Union and Union Parliament will have jurisdiction to make laws for this State on matters specified either in the Instrument of Accession or by later additions with the concurrence of the government of the State. An order has been issued under Article 370 specifying (1) the matters in respect of which the Parliament may make laws for the Jammu and Kashmir state and (2) the provisions, other than Article I and Article 370, which shall apply to that State (Appendix LVI).Steps will be taken for the purpose of convening a Constituent Assembly which will go into these matters in detail and when it comes to a decision on them, it will make a recommendation to the President who will either abrogate Article 370 or

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direct that it shall apply with such modifications and exceptions as he may specify.

The party demanded the application of the Constitution of India on the State in its entirety. It, therefore, sponsored a campaign for abrogation of Article 370 of the Indian Constitution believing that the erosion of the Special status to the State would eventually lead to the transfer of power from Srinagar to Delhi which would reduce the former's capacity to dominate over Jammu.

The All Jammu and Kashmir Praja Parishad, thus, became not only the principal opposition party of Jammu region, the local instrument of its protest but also a party to spearhead the integrationist movement at the regional level.

Sheikh Mohammad Abdullah was totally against the full application of the Indian Constitution to Jammu and Kashmir. In order to counter the All J&K Praja Parishad he declared[28]:

> "If there is no special status for Kashmir in Indian Constitution, how can we go to Muslims in Kashmir and convince them that India does not interfere in the internal affairs of Kashmir....We have acceded to India in regard to defence, foreign affairs and communications and not in respect of other subjects because we wanted some kind of autonomy for ourselves in internal matters".

When the Security General of United Nations organisation, to whom the question of Pakistan's aggression on Kashmir was referred, found itself incapable of arriving at a decision in the near future, the people of the State were left to themselves to find ways and means to put an end to the agony and uncertainty to which they were then placed. Even Sir Owen Dixion's report was against the very objective on which the people of J&K State of uncertainty,

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wait and see, frustration and agony and fully recognising the right of self determination of the people of the State, the General council of the All J&K National Conference issued a mandate to the Supreme National Executive of the party on October 27,1950 to convene the Constituent Assembly based upon adult suffrage and embracing all section of the people and all constituents of the State for the purpose of determining the future shape and affiliations of the State of J&K[28].

The All J&K Praja Parishad and the All J&K Sahayak Sabha criticised and condemned such a move when all the political parties of the State had already given a unanimous verdict for its accession to Indian Union. They regarded it another move for an 'Independent Kashmir'[30].

On the other hand, in order to prove the Plebiscite in Kashmir reclundent in the light of democratic set up, Govt. of India too agreed with the All J&K National Conference to convene its Constituent Assembly for framing its own Constitution which was thought to be the first important landmark towards making Jammu and Kashmir an autonomous State. It was also in consonance with the programme of Naya kashmir which the National Conference was committed to implement[31].

The Working Committee of the All J&K Praja Parishad unanimously passed a resolution on March 10,1951 praying the Govt. of India to delete Article 370 from the Constitution of India and requested the Government of Jammu and Kashmir recommend its deletion. The Parishad leaders also demonstrated against it by organising protests, hartals and public meetings that they were not at the back of this sinister move of separation of the State from Indian Union rather they openly opposed it[32].

Meanwhile Yuvraj Karan Singh, the Regent of Jammu and Kashmir State and the son of His Highness Hari Singh-the

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last Dogra Maharaja-issued a proclamation for the convening of the Constituent Assembly on April 30,1951[36]. The All J&K Praja Parishad, which has previously criticised the convening of Constituent Assembly to draft a separate Constitution for the State, at its working committee meeting on May 8,1951 decided to contest the election and demanded representation in Delimitation Committee, which consisted of Mr. Justice M.A.Shahmiri- a judge of the J&K High court- and four other members of the rank of Dy. Commissioners from Revenue Department.

The National conference workers not only confronted the Praja Parishad workers at different places but indulged in beating of them. Shri Durga Dass Verma, the then General Secretary of the party had sent a telegram to G.M.Bakshi, the then Dy. P.M. of J&K Govt. at Srinagar on 12.6.1951 informing him an incident at Sudh Mahadev, Distt. Udhampur in which the National Conference workers gave a serious beating to the Parishad workers.

The following is a letter written by Shri Durga Dass Verma, to G.M.Bakshi on 18.6.1951[37]:-

JAMMU & KASHMIR PRAJA PARISHAD

(Central office Jammu)

Ref No. 1491 Dated 18.6.1951

The Hon'ble Deputy Prime Minister

Jammu and Kashmir Government, Srinagar.

Dear Sir,

This is in continuation of our telegram dated 12.6.1951, regarding serious beating of the Praja Parishad people by the National Conference workers at Sudhmahadev in District Udhampur. The moment I received the report of the said incident, I proceeded to Udhampur to enquire into the matter.The detail of the case is that a public meeting to be held on 11th June, 1951 had been arranged a week before the Sudhmahadev in Chenani Illaqa. Accordingly the Praja

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Parishad meeting commenced at the appointed time with a song. As soon as the song concluded, a batch of 50 people armed with axe and lathies was seen approaching to the meeting place raising slogans Sher-i-Kashmir Zindabad, Motiram Bairgram Zindabad, National Conference Zindabad and Praja Parishad murdabad. On reaching the spot, they cordoned the stage, abused the workers and fell upon them with their axes and lathies. Mr, Mulkraj, Organizing Secretary, Udhampur and another worker received serious injuries.

The police authorities on spot refused to entertain their written report. Next day i.e. 12th June 1951) they were brought to Udhampur The Superintendent of Police also did not entertain the Report. The Medical Officer Udhampur was approached, but he also did not examine the wounds to issue the necessary certificate. He was again and again requested to do his duty as prescribed under rules, but he did not accede.

The Head of the District, Deputy Commissioner, Udhampur, was requested to look into the grave matter personally and take requisite steps to bring the culprits to book. He also did not take any notice. All this compelled me to bring the injured persons to Jammu for medical examination and proper treatment at 11.30 p.m. the same day. The wounds had by then remained unattended for more than 24 hours. Before removing them to Jammu, the matter was again brought to the notice of the Superintendent of Police and the Deputy Commissioner by me.

Attacks on public meetings organized by a political party by another party and raising of anti slogans inciting violence and beating of the workers mercilessly is a clear goondaism which if not nipped in time is likely to create chaos and disturb the peace of the country. I may bring it to your kind notice that this is the direct result of Mr. Moti Ram Baigra and his companions preaching violence and

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hatred. They exhort people to beat and stone the Praja Parishad people. As a specimen, his speech at Reasi about two months back may be referred to in which he incited the audience to blacken the faces of Praja Parishad workers, tie them on donkeys and drive them away after they are beaten with lathies and axes.

Inspite of all the these unbearable insults, our workers have behaved like true followers of Mahatama Gandhi and preferred death to raise a finger against the hooligans. The incident referred to above is the 2nd attack of its kind in Cheneni Illaqa.

The attack was well preplanned and arranged. The Police authorities instead of controlling the situation encouraged the goondas, the worst is that even the police authorities Udhampur did not entertain the first information report of the sad incident and the Medical officer also did not issue the certificate. It means that the administration is in these hooligans 'heads posing as National Conference workers and they have a free hand to do whatever they like. The honour and lives of the peace loving people are not secure. The peace of the country is at stake. Law and order is being abused. Goodaism is rampant. We hope you will kindly take personal interest in the matter.

Yours faithfully,
sd/General secretary
All Jammu and Kashmir Praja Parishad,
Jammu

No. 1492 of Jammu, the 18.6.1051
Copy submitted to the Hon'ble Prime Minister Jammu and Kashmir Govt. Srinagar, for information and favour of necessary action.

sd/Durga Dass Verma
General Secretary

Shri Durga Dass Verma-the General Secretary, the All J&K Praja Parishad had sent the following letter to

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G.M.Bakshi-the Dy. P.M. of the J&K State on 2.7.1951 but page 2nd of the said letter was not traceable:-

JAMMU & KASHMIR PRAJA PARISHAD

(Central Office Jammu)

Ref:94/2/F

Dated 2.7.1951

Dear Sir,

This is in continuation of our previous letter No. 91/2/F dated 26.6.1951. It has been learnt from reliable sources that the Kashmir Government has come to harbour certain doubts and misgivings about the benefides of the Praja Parishad. Parishad has declared so many times in its statements as well as in public speeches that its aims and objectives are to serve the people of Jammu and Kashmir State irrespective of religion, caste, creed or langauge and that it is national in outlook and considers every citizen of the State equal and that it is with the Govt. as long as the government is furthering those aims and objectives, it would offer healthy opposition, but in no case it would disturb the peace of the State. So far and in future too the Praja Parishad will remain wedded to conference workers who are out to produce wrong impressions, create bad hood and incite people to violence. They are acting on the policy of giving the dog a bad name and kill it. The National Conference workers are resorting to such tactics as well create disturbance in the State and thus strengthen the hand of Pakistan as will be clear from the facts detailed below:

1. We have been charged with making provocative and offensive speeches, but the fact is that Mr. Motiram Baigra and his companions are openly preaching violence. He delivered a speech at Reasi saying that Praja Parishad people are murderers, dacoits and bad characters. They should be tied with ropes, seriously beaten, made to sit on donkeys and then driven out to be drowned in the river Chenab etc. He preached violence and excited the public,

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but the Praja Parshad people kept their heads cool and behaved nicely and saved the situation which otherwise would have become serious. The fact was brought to your notice at that very time and twice after that as well. But no notice has been taken of this inflammatory speech.

2. The incident of Sudhmahadev in Chenani Illaqa, District Udhampur, has already been brought to your kind notice. The meeting organised by Praja Parishad was disturbed with the help of a police organiser. A batch of fifty people armed with axes and lathies raised anti slogans, terrorised the audience and abused the workers and fell upon them mercilessly. As a result of two persons were seriously beaten. The Sub Inspector on spot and the Superintendent of Police Udhampur did not entertain the written report of the victims. The Medical officer refused to examine and issue a certificate of the injuries. The Deputy Commissioner also remained lukewarm and took no notice of these facts when brought to his notice. The victims had to be removed to Jammu Hospital for dressing etc.

On the other hand efforts are being made to involve our....and members who try to protect everybody and even shed their blood to defend them.

4. To condemn the unlawful action of the Goondas at Sudh Mahadev, the people of Udhampur observed complete hartal spontaneously to express their resentment at these inhuman and barbarious acts of the anti national and anti social elements. But the National Conference and the Kashmir Government took exception to it. They are against the people expressing their feelings and condemning such unjust, barbarous and inhuman acts, because the perpetrators belong to its group and that of Mr. Baigra. On the other hand, the people were victimized by cancelling the permits of some cloth dealers with a view to frighten, suppress and discourage the public. Similarly permits of four dealers

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of Samba have been cancelled as a result of hartal observed to protest against the arrest of Th. Raghunath singh Samyal. These are clear instances of suppression and harassment.

5. The shopkeepers whose licences and permits have been cancelled approached the District Supply Officer, Udhampur, and requested him to tell the grounds upon which their permits were cancelled. He told them that he was helpless and that he had been verbally ordered by Ali (Deputy Commissioner Udhampur) that licences and permits of all Praja Parishad dealers should be cancelled. When the dealers requested the District Supply officer to furnish a copy of the orders in order that they might lodge an appeal, the District Supply Officer insulted and turned them out of his room.

6. Mr. Aga Nasir Ali, Deputy Commissioner, Udhampur, in a speech at village Jib in Udhampur District preached violence and exhorted the audience to receive the Praja Parishad people with lathies and ropes so that they might not dare again to enter their villages.

7. On 8th Jeth 2088, Pandit Premnath Dogra, president, praja Parishad, went on tour to Poni, where a public meeting was held at night. As a result of his visit to the place two Zaildars and two Nambardars have been suspended on the grounds that they took part in giving reception to Pandit Premnath Dogra. The ground is absolutely false because no such reception could be held at all at 9 in the night-the time of his arrival in the town. It may be brought to your notice that this is not the first instance of this kind. This has become practice to harass and trouble the persons who take part in Pandit Jee's reception or attend our meetings. This is a travesty of democracy as in its practice here, the aggressor is encouraged and the aggrieved is victimized exactly as the U.N.O. is doing in the Kashmir dispute.

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9. On 12th Har 2008, S.Budh Singh, and Hon'ble Girdhari Lal Dogra went to Hiranagar for election propaganda. Failing to get a good audience, they arranged a Cinema show at night through the State Publicity Department. During the show, Mr. Lalman, a Patwari at Hiranagar stood up and began to deliver a speech which was full of malicious propaganda against Praja Parishad. Mr. Jawala Prakash, a Vakil of Hiranagar, objected to this on the ground that he is an official and his position does not allow him to say anything against or in favour of any political party. At this the said Patwari raised a slogan "Sher-i-Duggar Murdabad". The public left the place. The police Sub Inspector arrested Mr. Jawala Prakash along with Mr. Devkinanadan our worker at Hiranagar. Next day both of them were produced before the court under section 151/ 107.

All these facts confirm the doubts and fears that the Government's efforts are directed against the Praja Parishad and that the Government will not allow fair and impartial elections. The Praja Parishad on the other hand is endeavouring to maintain law and order in full appreciation of the critical situation and with a view to disillusion the security council that the elections in the state can be conducted fairly and impartially. I am afraid that if this process of harassment and arrests is not put to stop (to), the chances of healthy and peaceful atmosphere would be lessened and free and fair elections would not be possible.

Yours faithfully
(Durga Dass Verma
General Secretary
Praja Parishad, Jammu.

All Jammu & Kashmir ~~Government Srinagar~~.

Hon'ble Bakshi Ghulam Mohammed,
Deputy Prime Minister
Jammu & Kashmir Government,

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Srinagar (Kashmir).

The All J&K Praja Parishad then sent the following letter to J&K Government for granting permission for starting party local paper 'Swdesh' from Jammu :-

Dear Sir,

The Praja Parishad has decided to contest elections to the Constitutent Assembly and for this purpose our workers in the field are already working day and night for the success. We are receiving constant demand from the field that we must have a paper of our own to give proper publicity to our cause and to make the voters conscious of the value of votes. It is not possible to go from village to village and from voter to voter to make known the instructions issued time after time by the organization. The necessity of Newspaper during all times and especially in the present democratic set up cannot be overemphasised. Your Govt. have proclaimed so often to the outside world that there is complete freedom of speech and press in the State and I am certain and confident that the Govt. have no intention denying the same to our organisation.

But I am sorry to point out that inspite of repeated requests to the local authorities, this just and democratic demand has not been acceded this just and democratic demand hasn't been acceded so far. The first request for the purpose was made about six months back to the District Magistrate Jammu.

Now we are in the thick of election work and the need of the paper is more pressing. I therefore, request you kindly to ask the local authorities to accord the necessary sanction and accept our declaration of a paper named "Swedesh " already filed with the District Magistrate Jammu. Since the elections are fast approaching an early action in the matter is desired.

Yours faithfully,

The All J&K Praja Parishad Party then sent the

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following letter to Sh.D.P.Dhar the Chief Election Commissioner, J&K Govt. Srinagar:-

JAMMU AND KASHMIR PRAJA PARISHAD

(Central office Jammu)

To,

The Chief Election Commissioner,

Jammu and Kashmir Government, Srinagar

Dear Sir,

I hope you remember our request for a paper of our own Freedom of Press and Platform both being the sine-quo-non of free and fair elections, you were kind enough to recommend our case to Hon'ble Bakshi Ghulam Mohammad the Deputy Prime Minister. Time left for elections being too short, the matter needs to be given top most priority. I expect from you, as the head of the elections work, that you would see that the chances of fair and impartial elections are not curtailed and that the Praja Parishad is allowed to run its own paper without loss of further time.

Yours faithfully,

Sh. D.P.Dhar

Chief Election Commissioner,

Jammu and Kashmir Government, Srinagar.

Soon after Parisad leadership charged the National Conference and its Government of malafide tactics, number of irregularities and dubious methods in Jammu elections. Pt. Prem Nath Dogra, President of the party in a press release at Delhi on October 6, 1951 mentioned the following malafide tactics used by the Government:-

i. Not holding elections in the province of Kashmir and Jammu simultaneously;

ii. Irregular Delimitation;

iii. No general seat in three constituencies;

iv. Out of the way polling stations;

v. 41 out of 65 nominations of Praja Parishad candidates being rejected on the most flimsy grounds;

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vi. Favour towards the National Conference candidates; and

vii. Official interference".

The following statement was then issued to the Press by Pt. P.N.Dogra, President of All J&K Praja Parishad at a press conference held in New Delhi on Saturday, Oct 6,1951:-

IRREGULARITIES IN JAMMU ELECTIONS

The following statement was issued to the Press by Pt. Prem Nath Dogra, President of the Jammu Praja Parishad, at a Press conference held in New Delhi on Saturday, Oct. 6,1951.

Friends,

You must have read a lot about the elections to the Constitutent Assembly of the Jammu and Kashmir State, but I feel that you have been given only one side of the picture. So, I would like to give you some facts about these elections and to leave it to you to judge for yourself in regard to the real situation in Jammu.

THE PRAJA PARISHAD

The Praja Parishad is the strongest political party of the people of Jammu for the past so many years, just as the "National Conference" has been of the people of Kashmir but ever since the present administration has been set up in the state, there has been a regular campaign of vilification and harassment of the people of Jammu. It was against this maltreatment movement two years back, which was withdrawn on the definite assurance that there would be no discrimination in treatment between the people of the two provinces of Jammu and Kashmir by the administration.

The Praja Parishad is not a communal organisation in any sense of the term, which ~~fact~~ becomes clear from the fact that it has on its membership rolls hundreds of Muslims. Some of them have been addressing public meetings

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from the Praja Parishad platform, but the government has adopted the tactics of dubbing these Muslim members of the Praja Parishad as Pakistanis, one of them was given a beating by the local officials, while another has been externed from the State and is today staying in India.

Ever since the partition of India, the Praja Parishad has unequivocally stood for unconditional accession of the Jammu and Kashmir state to the Indian union, while the National Conference has even till today not agreed to complete merger of the State to the Indian Union and wants defence, external affairs and communications alone to be controlled by the Central government of India. Even in the present election, the Praja Parishad demands the application of the entire Indian constitution to the Jammu and Kashmir State like all the other "B" and "C" class states that have acceded to the Indian Union, while the National Conference wants a separate constitution for the Jammu and Kashmir state for reasons best known to itself.

PRAJA PARISHAD VERSUS NATIONAL CONFERENCE

From the above it is clear that there are fundamental and basic difference between the National Conference and the Praja Parishad over the question of the State's accession to the Indian Union, while the Praja Parishad tends for unconditional accession to India, the National Conference has reservations in this regard and the conflicting statements and actions of the National Conference Leaders during the last four years create grave suspicions in the minds of the people of the state.

The present elections to the constitution Assembly of the Jammu and Kashmir state are also being fought on this very issue and that is the reason on why the National Conference has been making attempt to prevent the Praja Parishad from entering the Constituent Assembly.

With this in view, the government, which has

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name for the National conference is adopting all and foul, to prevent real representatives of the people from entering the constituent assembly. It was a result of this policy that no opposition candidates dared to file their nomination papers in any of the 4, out of the 45 seats for the assembly in Kashmir province and the two candidates who did dare to file their nominations were compelled to withdraw them by undue pressure.

As regards Jammu province, this intimidation on the part of the National Conference cum government could not succeed as the Parja Parishid is the strongest political organization of this province for so many years past and th National Conference has not even existed, its activities having been confined ever since 1922 when it was borne as the Kashmir Muslim conference to the Kashmir valley alone. So attempts are being made according to a well laid plan to prevent the Praja Parishid from having any effective voice in the Constituent Assembly.

TACTICS ADOPTED

The first thing the National Conference government did was to decide not to hold elections in the province of Kashmir and Jammu simultaneously. Every body was surprised to find that while the nominations were being filed in the Kashmir valley even the final voter lists had not been made public for Jammu province. It was after the "unopposed elections" of the National Conference candidates had been announced in Kashmir, that the dates for nominations in Jammu province were announced with the deliberate intentions of influencing the elections in Jammu.

IRREGULAR DELIMITATION

Another tactic adopted against the Praja Parshid was that the Parishad was given no representation on the Delimination Committee although at first the Praja Parshid was assured that its representatives would be associated with the committee but later this was not done, with the

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result that the delimitation of the constituencies was fixed by the delimitation committee are altogether opposed to the principles of contiguity compactness of the areas as the bases of delimitation committee with a view to benefit the party in power.

The following specific instances will be sufficient to prove the above contention of the Parja ~~Parshid~~ parishad:-

1. While fixing the constitutencies for the city of Jammu, Jammu Patwar, which is contiguous with Jammu city, was split up and a major portion of it was taken to the Kahna Chak constituency in Jammu tehsil, while the remainder was attached to the southern constituency of Jammu city to which was also added the Bahu Patwar on the other side of the river Tawi. A protest meeting against this unnatural delimination was held and a resolution was adopted and sent to the Government on September 8th, 1951 but with no result.

2. Sari Patwar, across the river Bhini, which is a natural part of Basholi constituency was cut of from this constituency and was attached to the Billawar constituency, because this Patwar was taken to be in favour of the National conference candidates standing from the Billowar constituency. This division is quite unnatural and deliberately partial.

NO GENERAL SEATS IN 3 CONSTITUENCIES

The third method adopted against Parja Parshid was that the areas where Parshid was the strongest have been debarred from sending any candidates other than members of the scheduled castes, although the population of scheduled caste members there was comparatively very small. India scheduled casted castes and tribes have been given seats in addition general seats, but not at the cost of general electorate, except in those areas where the entire population has consisted of such caste and tribes, but in Jammu and delimitation committee has act apart three

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constituencies of Reasi Kahna Chak and Bishna for the Harijans only. If instead of these constituencies being reserved three seats had been set apart for these Harijans in addition to general seats, there would have been no injustice to the general electorate, which has thus been a debarred from being represented in the constituent assembly, although they form majority of the population in all these areas.

The most glaring instance of the unfair delimination of the constitutencies was the one in regard to Kistwar which has the largest population of Harijans as no representation has been given to harijans there, the reason is simple. The Harijan candidate of the Praja Parishid in this area Mr. Jagat Ram Arya was sure to get elected by an overwhelming majority. He was a member of the Praja Sabha or the legislative assembly of the state last time. The government first tried to win him over to the side of national conference. On his refusal he was arrested and sent to Jail. He was however ordered to be released by the High court as a result of a *Habeas Corpus* application. The Government then banned his entry into his home district of Kishtwar, by interning him in Srinagar, when there were protests against this around. The Delimitation committee debarred Kishtwar from returning a Harijan Candidate, thus making it impossible for the Praja Parshid candidate Mr.Jagat Ram Arya from being elected to constitutent Assembly.

The Praja Parshid protested against these injustices but of no effect.

OUT OF THE WAY POLLING STATIONS

The fourth handicap put in the way of the Parja Parshid coming out successful was to fix the polling stations at out of the way places, where the National conference, government resources alone could carry the voters, and not the central places.

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41 OUT OF 65 NOMINATIONS REJECTED

The fifth and the most astrocious attempt that was made against the Praja Parshid was that no less than 41 out of the 65 nominations filed by the Praja Parshid for 27 of the 30 seats from the Jammu province were rejected on the most flimsy grounds, while not a single nomination paper of any National Conference Candidate was rejected, although the Praja Parshid filed very serious objections against a number of them.

As the Praja Parshid had expected trouble in connection with the nominations, it had taken the precautions of filling the nominations of more than one candidate from 24 constitutencies and in some places the number of the Prashid nominations was even 3 and 4 but determined as the returning officer were not to let the Praja Parshid contest these seats, all the 2 or 3 or 4 nominations of the parshid candidate were rejected on one ground or the other. The details of the rejection of these nomination papers would therefore prove very interesting and deserve to be mentioned in some detail:

1. In the Billawar constituency, four nominations were filed for Dhyan Singh Tara Chand, Thakur Dass and Ram Chand. All the four nomination papers were rejected on the ground that the proposals and seconders of these candidates were not able to produce state subjects certificates, though no such conditions was necessary according to the election rules.

As against this, the nomination papers of the National Conference candidate named Ram Chandra Khajuria was accepted although his proposer and seconder too could not produce any state subject certificate and in addition his name was entered in the official electoral roll as Amar Chand and not as Ram Chand.

2. For Hiranagar constituency, the Parshid filed three nomination papers for Baldev Singh, Rudra Mani, Ram Dutt

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Jawala Prakash. The nominations of the first three choices were rejected on the same basis of the state subject certificate and that of the last named candidate alone was accepted as the returning officer said he personally new the proposal and the seconder.

For the Basohali constituency, the Pra-Prashid filled three nomination papers in the name of Tara Chand, Jagdish Sharma and Ramchand. The nominations of the first two were rejected on the same ground of the state subject certificate, but the nomination of Mr. Ramchand was rejected on the plea that he was a Govt. servant , although he had brought with him his resignation letter duly accepted by his officer. This resignation was not considered sufficient.

As against this, the nomination paper of the National Conference candidate, Mahanat Ram, was accepted as valid, although he had not attached with his nomination the form of declaration specifying his election agent, the filling of which was compulsory for all candidates.

4. For the Kathua constituency, the Parishad had set up no less than five candidates named Chagar Singh, Surindra Nath, Prithvi Singh, Ranjit-Singh and Vidya Prakash. The nominations of the first two were rejected on the same plea of State subject certificate. The nominations of Prithvi Singh and Ranjit Singh were rejected on the ground that they had been arrested in connection with the political movement in Jammu.The nomination of the fifth candidate was alone accepted as no fault could be found with his nomination paper.

As against this, the nomination paper of the National Conference candidate, Maj. Piyar singh, was held valid, although he had not attached with the necessary declaration as required by the rules.

5. For the Ramnagar constituency, three nomination papers were filled by the Praja Parshid for Hans Raj, Amrit Sagar and Shiv Charan.

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The nomination paper of Hans Raj was rejected on the plea that he was not sure of his serial number on the official electoral roll. According to the original electoral roll his No. appeared to be 490, but in the revised list it was 491. As a precaution, he filled two separate nomination papers, one giving the number as 490 and the other 491, but both were rejected on the ground that the candidate was not sure of his serial number.

The nomination paper of Amrit Sagar was rejected on the plea that he was not able to produce a certified copy of his entry in the electoral roll, although he carried an official copy of the roll which contained his name.

The nomination paper of Shiv charan was rejected on the plea that the name entered in the electoral roll was L.Shiva Charan, while the nomination paper merely stated Shiva Charan even though the father's name and all other particulars tallied fully.

As against this, the nomination paper of the National conference candidate, L.Hans Raj, was held as valid, although his name was entered as L.Hem Raj.

In addition, the nomination paper of Raghunath Singh and Dhanvantar Singh from the Samba constituency, of Shiv Lal from R.S.Pura and Sham lal from Akhnoor and other were rejected on the basis of clerical mistakes or minor printing errors. The nomination paper of Dharam Paul, a Praja Parishad candidate, was first accepted for the R.S.Pura constituency but he was latter beaten and made to withdraw it.

FAVOUR TOWARDS THE NATIONAL CONFERENCE CANDIDATES

Compared to these impediments put in the way of the Praja Parishad candidates, the way the National Conference candidates were favoured is illustrated by the following:

The name of Shrimati Ram Dei, who had been set up by the National conference for the Jammu city southern constituency, appeared in electoral roll as Mrs. Brigadier

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Rajindra Singh singh and not as ---- still her nomination paper was accepted.

The name of the National conference candidates from Samba named Sagra Singh as well as that of his seconder did not tally with the entries in the electoral roll.Even then his nomination paper was held valid.

The father's name of Challa Singh, the National Conference candidate from the Chhamb constituency according to the State subject certificate is Barita, but in the electoral roll it was entered as Briti Singh. In addition, he is a Jat in the state subject certificate, but is entered as a Sikh in the electoral roll. Still, his nomination was held valid.

Although the election rules laid down that the objections on all nomination papers should be decided on one and the same day, in Kathua constituency they were held over for the second day on the plea that both the presiding officers had fallen ill simultaneously, with a view to help the National Conference candidates.

The above instances are only illustrated and not exhaustive, How for the elections in Jammu can be fair and free can easily be made out from these.

OFFICIAL INTERFERENCE

In addition to this, the entire administrative machinery of the National Conference Govt. has been geared to carry on propaganda of the most malicious type against the Praja Parishad, under the direct supervision of the Dy. Prime Minister of the State, who has been touring the Jammu province, threatening and intimating the people against supporting the Parishad.

The Deputy Commissioner of Kathua, accompanied by the Minister, sh. Girdhari lal Dogra has been touring and addressing the public meetings in favour of the National Conference candidates. He has cancelled the arms licences of many people in the border areas who did not support the

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National conference candidates and gave green licences to these who opposed the Praja Parishad.

In the same way, the Tehsildar, and the Naib Tehsildar of Ramnagar have been doing open propaganda work in favour of the National Conference against the Praja-Parishad.

The above are some of handicaps which make it impossible for the Praja-Parishad to have a fair deal in these elections.

MR. GOPALASWAMI AYYANGER HELPLESS

I came to meet the Minister of State, Mr. N.Gopalaswami Ayyanger, to point out to him all these irregularities in the hope that he would be able to secure a ~~fear~~ deal for the Praja Parishad in Jammu, but I regret to find that beyond some vogue assurances, he has not been able to assure me that the Praja Parishad could expect justice and fair play in these elections.

IMPARTIALITY NECESSARY

If the Government of India and the State Government want the formation of a truly representative constituent assembly for the Jammu and Kashmir state, the least they must do is:-

1. To hold an independent, Judicial enquiry to the rejection of the nomination paper of the Praja Parishad candidates, thereby enabling the Praja parishad to contest in all the 27 constituencies from where it had originally set up its candidates.

2. To appoint some supreme court judge to conduct the elections in Jammu, to assure perfect impartiality.

3. To prevent Government servants from working for candidates of any party in the state.

The following statement issued by Pt. P.N.Dogra just after the press conference[41]:-

In my statement dated 6th October, 1951 at a Press conference in New Delhi I briefly explained the various tactics adopted by the N.C. cum Govt.. in preventing real

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representatives of the people from entering the constituent Assembly. To ensure free and fair elections I suggested to held an independent judicial inquiry into the rejection of nominations papers and to prevent Govt. servants from influencing the voters and helping the candidates of any party. But the State Govt. and the Govt. of India paid no heed to it. The W.C. of the P.P. unanimously endorsed my suggestions which were further ratified by the representatives from all parts of Jammu province gathered together in Jammu to decide future course of action after our withdrawal from the elections as a protest against partial and unfair practices. The constituent Assembly is the nominee of the N.C. No confidence Resolutions were passed by all the constituencies of the Jammu province against the representative character of these nominated members and the Assembly which is to function as the sovereign democratic body. I would have cared a little to say a word about the procedure adopted by such an Assembly for election petitions vide J&K Govt.. Gazette dated 15th. oct. 1951. But before being blamed for not availing of the chance of proving the farcial nature of the Assembly elections though elections petitions, I consider it proper to make it public, that this procedure was another fraud to dupe people as no justice could be expected from the body which itself is responsible for all injustices and partialities.

In old J&K Praja Sabha election rules of 1942, rules for the final decision of doubts and disputes as to the validity of an election are given under section 117, the court holding such an enquiry is defined as the high court of judicature or any other tribunal specially empowered or appointed by the government. Under the Govt. of India corrupt Practices and election, petitions against any returned candidate are to be presented before the Governor who is to appoint commission for the trial of petitions

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consisting of those persons who are or have been or are eligible to be appointed judges of the High court and shall appoint one of them to be the President. Thus for hearing election petitions the appointment of Independent tribunals or commissions consisting of Judicial luminaries is made by the Govt.. and not by the Assembly. But in our state the procedure adopted by this manipulated so-called sovereign democratic assembly is a novel one, suited to gain its own ends. The Resolution in question published in the Gazette of Nov. 15,1951 which came to be distributed after the 20th Nov. 1951 i.e. 20 days back, leaving only ten days for the urban constituencies and practically no time for the rural constituencies to file petitions, is another fraud. The period of submitting election expenses on the other hand was extended because illiterate members failed to do it within the prescribed period.

The so-called Assembly inspite of its unrepresentative character and having no confidence of the people of the Jammu province has been given vide arbitrary powers under sub para even of appointing tribunal and even dismissing the petitions. Because of this novel procedure and concentration of powers in one person no fair deal was possible from such a body and as such it was useless to approach it for justice, which was sure to be denied, as it had been denied by the wholesale rejection of nomination papers. The P.P. under these circumstances did not consider it worthwhile to file election petition.

He also met Mr. Gopala Swami Ayyanger, the then Minister of States, and reported about all these irregularities and made the following suggestions :-

i. To hold an independent judicial inquiry into the rejection of the nomination papers of the Praja Parishad candidates in all the 27 constituencies from where it had originally put up its candidates;

ii. To appoint some Supreme Court judge to conduct

Sd/-
(Premnath)

the elections in Jammu, to assure perfect impartiality; and

iii. To prevent Government servants from working for candidates of any party in the State.

The General Secretary of All J&K Praja Parishad in a letter to State Election commission dated December 5, 1951 made the similar complaints[43]. The party's working committee met on September, 1951 in Jammu and adopted a resolution, giving an ultimatum to the government to set right the deliberate rejections of party's candidates uptil September 27, 1951 noon, failing which it might go to the extent of boy cotting the elections[44]. The party ultimately in a telegram to Prime Minister of India on October 12, 1951 boy cotted the election under protest. The Constituent Assembly, therefore, consisting of 75 National Conference nominees as its members.

Meanwhile a few Pro-Parishad students staged a demonstration and registered a protest against the hosting of the National Conference flag in a function held at G.G.M.Science College on January 15, 1952[45].

Pt.P.N.Dogra had then sent the following letter to the Prime Minister of Govt. of India New Delhi on Feb. 1952[46]:-

The Prime Minister
Government of India Union,
New Delhi.

Sir,

We feel it our patriotic duty to bring to your notice through the following memorandum the growing deterioration in the internal situation of Jammu and Kashmir State which if not improved in time, is bound to affect adversely the wider interest of India as a whole. The need for greater attention and speedy improvement in the situation has been made imperative by the development in Pakistan and intensification of the Pakistani propaganda of preparation

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for sabotage and war from inside and outside the strategic part of India.

Eleven years have passed since Jammu and Kashmir State which has been an integral part of India, historically, geographically and culturally all through the ages, acceded to India according to the procedure laid down in Mount Batten Plan. It was then hoped that the anomalies in the relationship of Jammu and Kashmir with the rest of India will be removed, and its people, as citizens of India, will be given opportunity to run a new leaf in their lives and live as equal citizens of India enjoying the rights and liberties guaranteed by the constitution of India.

But these hopes and aspirations have remained unfulfilled so far. The Government of India has thought it fit to lay store more by a few individuals than by the people of the State as such. And these individuals, first Sheikh Abdullah and now Bakshi Ghulam Mohammad, are more interested in keeping themselves in power by denying to the people their basic rights and liberties, than in developing a spirit of unity and equality in the people of the State and their brethren in the rest of India. It is this desire to keep power in his own hands which motivated Sheikh Abdullah to insist upon a separate constitution for the State which gave his and his Government special and unchallenged powers to ride through stood over the basic rights, liberties and aspirations of the people to be one with the rest of India.

The people, therefore, raised their voice against his separatist and dictorial policies. Under the leadership of Praja Parishad thousands of people suffered incarcerations and scores of people faced police bullets in the defence of India's tricolour flag in this part of India. This epic of suffering and sacrifice culminated in the supreme sacrifice of late Dr. Shyama Prasad Mooker Ji in Srinagar Jail, which finally opened the eyes of the people and

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Government of India to the realities of the situation in the State and ambition of Sheikh Abdullah.

With downfall of Abdullah and rise of Bakshi Ghulam Mohmmad to power hopes were raised once again that anomalies in the relationship of Jammu and Kashmir State with the rest of India will be removed once for all and that disabilities from which the people of the state are made to suffer for the pleasure of the ruling Junta will be done away with. But we are pained to say that even though five years have passed since that change over the people's's hopes and aspirations about becoming one with their compatriots of the rest of India in all respects have not only remained unfulfilled but what is worse they are even being deprived of the most elementary rights and liberties. Bakshi Ghulam Mohammad in order to perpetuate himself in power is following such policies as have sapped all good will of the people which he initially enjoyed. He has become a ruthless dictator trying to keep himself in power by all means fair or foul. Absence of full jurisdiction of Supreme Court of India has enabled him and his Government to curb the basic liberties and freedom of the people who are being denied the freedom of speech, association and expression in so many dubious ways. What is worse the elections to the State Legislature and to the local Panchayats are being so rugged as to make them a mere force. Some glaring and incontrovertible example of this ruthless suppression of civil liberties lawlessness and ragging of election are given below:

1. Interference by the persons belonging to the party in power in the administration of the State is very commonly seen in the Jammu and Kashmir State. If the administration takes upon itself to transfer a person against whom the administration receives numerous complaint such transfers are later withheld on the interference of the members belonging to the National Conference. One such instance

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is that of Mr. Dr R.S.Modi Health officer of the Jammu Municipality. This complaints have increased to such an extent that the "Kashmir Post" a pro-Government paper had to write in its edition dated January 10th, 1959.

> "We would particularly like to draw the attention of the Government towards two or three main defects which are at the root of over all inefficiency in the administration.
>
> Firstly undue interference with day to day working of the administration by the Political executives (Ministers etc.) should be completely stopped. This single factor is responsible for the lack of the qualities of efficiency, initiative, imagination, leadership and taking of responsibility among the civil service. This undue interference in administrative matters is also responsible for growing inefficiency and corruption. There have been instances to prove that this undue interference on the part of some of the Ministers has resulted in undoing of flouting some of the decision of the Government".

This is not only with this Government alone but since the very inception of popular rule in the state it has been faced by the people very often. Even the Chief Conservator of Forests had to complain against the undue interference of the National Conference Organization in his administrative affairs. This interference has created inefficiency in the administration and induces the government employees also to take part in the party politics. The Government machinery act on the advice of the National Conference Organisation and they do all foul acts to see

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that their masters are pleased in one way or other with the result that the people do not get justice at their hands because they do not dare to complain against their high-handed acts. We have several times demanded from the Government of Jammu and Kashmir that the government machinery should be left aloof to decide matters for themselves and not to be interfered but this advice and suggestions has been ridiculed and not weighed in its true perspective.

2. The administration has become top heavy. In the days of the Maharaja there were only five Ministers to look after the affairs or the entire state including that part which has now been occupied by the Pakistan and at present there are 12 Ministers to look after 2/3rd part of the State. Not only that the Police expenditure in the State has increased from 16 lacs to 64 lacs with the result that there is lesser efficiency. Murderers go un-traced and people abstain from reporting the offences inthe police station for getting the offenders penalised. their confidence in the efficiency investigation and inquiry is completely shaken. Besides that superfluous posts are being created to accommodate the retired hands and also persons in the good books of the rulers. The office of the Constitutional Advisor is still being retained to accommodate another retired hand. Recently, again a new post of Chairman Land Laws Committee has been created to accommodate the retiring Financial Commissioner.

In 30 Tehsils of the entire state there were previously 30 Tehsildars with same number of Naib Tehsildars but at present there are about 60 Tehsildars and about 125 their Naibs. Besides the above mentioned superfluous posts special advisors, and special officers attached to various Departments of the Jammu and Kashmir State have been appointed with a plea to bring the administration in tone with rest of India.

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3. Food Situation

the food situation in the State has deteriorated since the year, 1947. Previous to that three lakh maunds of food stuffs were imported from India to meet the deficit to feed the entire population of the State and now that 1/3rd part of the State which was mostly deficit area, is in the possession of the enemy and 1/4th of the population is on the other side of the Cease Fire Line the Government figures tell that the State is deficit of 42.52 lakhs maunds of food stuffs. It may also be mentioned here that the State has spent about 3 crores of rupees on the improvement of Irrigation of the State and about one crore on the improvement of Agriculture for increasing the production of the food stuffs. The various land reforms introduced so far to increase the food stuffs have also resulted in the increase of the import of food stuffs. The Government has given several different figures that it has spent for the improvement of the irrigation for production of the food stuffs. These figures are varying and are distorted. Questions in the Assembly regarding the authenticity of the figures are not replied. In the State the food situation inspite of all the expenditure that the Government has borne has not shown any better results.

4. Lawlessness

There is complete lawlessness inthe Jammu and Kashmir State Decoits go set free because they have the backing of the leaders of the National Conference ruling party. Attack on the Government officials are not cared for and the accused belonging to the National Conference are not prosecuted. In October, 1957, the Excise Party aided by the Police and the Magistrate raided Bhore Camp for detecting the illicit traffic in illicit distillation. More than 1000 gallons of illicit liquor were recovered from this camp and the persons from whom this illicit liquor was recovered backed by S.Janak Singh, the leader

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of the camp, who also happens to be a member of the Executive of the provincial National Conference attacked the raiding party and deprived the officers of their uniforms they were wearing and also some other articles. The case against these persons was registered under sections 395,149,332 of the R.P.C. and the persons arrested were released by the timely help of the leaders of the National Conference to these assailants. They later induced the District Magistrate to write to the government Prosecutor to withdraw the case. Inspite of the fact that it had been sent by the Additional magistrate to the Sub Judge Magistrate Ist Class on the 18th November, 1957. The challan was presented to the said Magistrate on 28.4.1958 with the request that the case be allowed to be withdrawn and the order of the Sub Judge Magistrate on the file reads as :-

"28.4.58. government Prosecutor Present

Accused absent. Challan has been produced to day. It may be entered on the register. The Government prosecutor has submitted an application that in accordance with the order of the District Magistrate he may be allowed to withdraw the case. There is no reason mentioned in this application for withdrawal of the case. Any how the permission is hereby given. The statement of the Government prosecutor is recorded. Since the sanction for the withdrawal has been given the case be dismissed and consigned to the records and the accused be deemed to be discharged".

Order announced

Sd/- S.J.Magistrate, Ist Class Jammu

Attacks son the workers of the opposition parties is the order of the day. In the Kashmir valley even M.L.A.'s are not spared. The Ex-Revenue Minister Syed Mir Qasim and

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ex-Speaker of the Legislative Assembly Mr. Ghulam Rasool Ranzu were attacked while they had gone to Sopore in connection with the Town Area Elections. Ghulam Rasool Kar was also man handled and severely beaten. Even in Jammu province Mr. Rajinder Singh M.L.A. who had gone to Poonch in connection with the organizational work was attacked and the meeting he was addressing, was tried to be dispersed with the help of the police and the Block Development Officers. Mr. Abdul Rehaman a member of the working committee of the Praja Parishad was also man handled by the Tehsil Secretary of the National Conference Mr. G.H.Goni. And very recently in the month of December, 1958 when two workers of the Praja Parishad of Ramban Mr. Labhoo Ram Tehsil President of Praja Parishad and Charanjit Lal had been to illaqa Bhattal Tehsil Reasi they were attacked by the goondas who were being led by the Patwari Abdul Majid and other Government officials of that area. One of the above mentioned two workers Mr., Charanjit Lal received very serious injuries. This is not a single instance in that area even previously Shri- Beli Ram, Lumberdar who had dared to challenge the election of Mr. Mohammad Ayub Khan, Deputy Speaker Legislative Assembly who also happens to be the President of the provincial National Conference has been implicated in several criminal cases like murder of persons who were later found to be alive. His house was stoned and he was tortured to the maximum to withdraw the petition. Reports were lodged with the police and the Prime Minister also was informed.

Corruption

Corruption, nepotism and favouritism is rampant in the administration. The Prime Minister himself corrupts the men by purchasing the workers of the political parties. Persons belonging to the National Conference are recruited inthe Government service thereby inducing people to join the National Conference for getting service in the

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Government and also other favours from it. Contracts and route permits are granted in favour of those persons who agree to work for the National Conference. Complaints against the sub Judge Magistrate Ist class Reasi Shri Tek Chand for his being corrupt and having taken bribes from the litigants has not been inquired into inspite of the public demand and representation.

Plans

The first and the second five year plan in the Jammu and Kashmir State were formulated without proper planning. There have been bungling in the construction works and crores of rupees have been waste on these plans. For instance the Kishtwar Canal which was originally estimated to cost 6 lakhs to the State exchequer has taken 28.68 lakhs of rupees and had to be given up because it was found impracticable to be dug. Money allotted to the Panchayats has been embezzled in every block. Even the C.I.D. reports and Audit Reports confirm the above facts No action is being taken against the defaulters because they happen to be either the members of the National Conference or the favourite and relatives of the ruling clique. Industries working in the Maharaj's rule have since been closed and those started by the present regime like Jammu Wood Factory, Thana Woods Works and Ramnagar Woollen Weaving centre and many other have been closets. The condition of remaining factories like Willow Factory, Drug Factory and Sericulture are also not satisfactory. Industrial loans have been given to the National conference workers. These loans have also not been utilised for the purpose for which these were given to them nor these have been realized. Private Weaving Handicrafts providing work to thousands of workers have also suffered extinction due to non availability of cotton yarn.

Elections

Elections to the Jammu and Kashmir Legislative Assembly

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were conducted in a very corrupt and high handed manner. The Government officials were instructed by Bakshi Ghulam Mohammad Prime Minister to reject the nomination papers of the Praja Parishad candidates. 20 election petitions regarding the elections in the Jammu province were filed about two years ago. Out of these 20 only two have been disposed off uptil now and the single man election tribunal has been appointed for the entire State. Whereas in the rest of India there is one Election Tribunal for each District,. And in cases where the elections have been declared void bye elections have been conducted and if there had been any corrupt practice in those elections the elections petitions have been filed with regard to such elections as well but in the State even though it is, as far as 22 August,1958 that the Honourable High Court declared the election of Mr. G.A.Dev a National Conference candidate of the Doda constituency to be void. No by-election has been conducted so far and there is no possibility of the elections being conducted in this constituency for another period of four months.

Official interference and that of Bakshi Ghulam Mohammad's personal interference in Town Area elections have been very much seen during these elections. The opposition candidates were kidnapped and were forced at the point of pistol to withdraw the contest. In Bishna the successful praja Parishad candidate was declared unsuccessful and was later tortured and severely beaten. When he came out of the clutches of the Police and was being brought to Jammu for medical inspection and for deposing true facts he was re-arrested by the police alongwith those who were bringing him to Jammu. These persons were also tortured.

Such are the woeful conditions in the Jammu and Kashmir State and it has created a strong belief in the people that as long as this Government and as long as the State

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enjoys the special status in the Indian Constitution and the present government is in power and the jurisdiction of the election commission of India and that act of the Supreme court in complete is not extended to the State of Jammu and Kashmir there can be no free elections in this state as a result thereof no legal constitutional and orderly Government can be set up in the Jammu and Kashmir State. This is not a hidden secret and as your honour have also declared it in your speech in the Parliament.

Besides the suppression of civil liberties and ragging of elections which is steadily destroying faith of the people in democratic remedies for the redress of their grievances, the ruling Junta is playing havoc with the administration by complications, aligning it with ruling party and making it an instrument for party propaganda.As a result all officials who do not like to subordinate their independence of judgement of the ruling party dictation are finding themselves in a very precarious position. Inefficient and corrupt juniors who are prepared to play second fiddle to the ruling party are being promoted to high posts without any regard to seniority and efficiency. Funds given for the execution of the 2nd Five Year Plan are being spent more to further party interests than for real improvement of the State. Partisanship, provincialism and communalism and also inefficiently and corruption are rampant in all walks of administration.

All this has created general discontent amongst the people of the State. The blame for all the corruption and suppression of liberties is being assigned to the Government of India which, in the popular eye, is the power behind the present ruling Junta Naturally this situation is being exploited by anti-India elements to the detriment of the wider interests of India. It has, therefore, become imperative for the Government of India to look into the whole situation and take remedial measures without any

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further delay. Indian Government cannot take shelter behind the convenient plea that internal affairs in the State are the responsibility of the State Government because the issue and interests involved in Kashmir ultimately effect the whole of India and not Kashmir alone.

We, therefore, appeal to you to take immediate steps on the lines given below to save the situation in the State from further deterioration.

1. Pending full application of the Constitution of India to the Jammu and Kashmir State after the deletion of section 370 in the Indian constitution, immediate steps should be taken to bring the State Judiciary fully under the control of the Supreme court and extend the jurisdiction of the Election Commissioner of India to the State so that all further elections in the State be conducted by it.

2. Since the State officials have lost all independence and integrity and have become demoralised senior staff for conducting elections should be deputed from India.

3. Elections to the local bodies so far held by scrapped and fresh elections ordered under the supervision of a high and impartial judicial officer.

4. People of the State be given the right to elect their representatives to the Lok Sabha directly and that elections must be conducted by the Election Commission of India.

5. The State officials promoted to I.A.S. and I.P.S. cadres be sent outside for gaining further experience and training and some experienced I.A.S. and I.P.S. officers holding independent views from other parts of the country be sent to the State to tone up the State administration.

6. An all party planning advisory committee including experts in the industry etc. should be set up to advise and guide the state in respect of schemes to be taken up and money to be spent for the plan purposes.

Any failure to move quickly on the lines suggested

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above is certain to create further complications. People of the State are looking to the Government of India for the redress of their legitimate grievances and making the administration good and efficient. If they are disappointed they will have to turn to other remedies which may not be very palatable to the government of India at this movement. It is why we earnestly request you not to allow the things to drift. Let us all endeavour to keep the wider interests of the motherland and his Government and unchal above party's interests and do the things in right time.

Dated Jammu the, Feb. 1959

Yours faithfully
Prem Nath Dogra
President
All Jammu & Kashmir Praja Parishad
Jammu Tawi

This led the arrest of Pt. Prem Nath Dogra and other Parishad leaders. The Head Lama of Ladakh Kushak Bakula, said..."Kashmir valley might in case of a U.N. plebiscite, choose to opt for Pakistan. In that case...there can be no question of Ladakh being dragged into Pakistan...Ladakh...would sooner join Tibet[47].He further suggested...the break up of the present territories of the State of Jammu and Kashmir into Kashmir valley, Jammu and Ladakh-with the first continuing its present status and the latter two acceding to Bharat as directly and fully as any other constituent of our federation seems the only way out of the perplexities of the people of Jammu and Ladakh[48].

On the other hand Mirza Mohd. Afzal Beg, the then Chairman, of the Basic Principles Committee declared in the Kashmir Consembly on March 24,1952 that the State of Jammu and Kashmir would be an autonomous Republic within the Indian Union, with a separate President, national Assembly, Judiciary, Regional autonomy and a separate

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citizenship[49]. Beg's statement was deeply resented not only in Jammu and Ladakh but throughout India and it created serious apprehension about the credibility of the National Conference leadership. Mr. Durga Das Verma, the then General Secretary of the Praja Parishad said, "We have decided to pool all resources to fight against the dangerous designs of the party in power which wants to make the State a sovereign Republic[50].

The following statement is the reaction of Dogra Sanstha against Mr. M.A. Beg statement made in constitutent Assembly on March 24,1953[51]:-

Dogri Santha

Dogri Sanstha is a cultural organisation of the Dogra Pahari people of Jammu. It has been working for the last nine years for the cultural and social advancement of our people. It is a patriotic body. It was the first to welcome the rise of popular democracy in the state in 1947 and work actively for the spread of National Conference Movement in Jammu Province, because we believe that the consolidation of patriotic elements in the State would led strength and stability to the forces of nationalism in India (A copy of the appeal made to the people by the Organisation at that time is attached for your perusal). As such we alone can reflect the true aspirations of our people, their tone and temper as we alone have living contacts with them.

The proposed constitution of the State -ordinarily, we keep away from politics but when politics begins to have a vital bearings upon our future as a people, silence does not retain its attributed golden qualities. The recent announcement of the Hon'ble Mirza Mohd Afzal Beg the Hon'ble Revenue Minister of the State in the Constituent Assembly that the Kashmir would be fully autonomous republic within India has raised some basic issues which shall have far reaching effect on our people

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and their culture. It is in the belief that the representation of the real feelings and sentiments of the people about these would be of some help to you in understanding the nature of the problem and in finding a basis for minimum working agreement, that we have taken liberty of addressing these few lines to you.

ACCESSION AND RELATIONS WITH INDIA

The State's relations with India are governed by the terms of the Instrument of Accession and subsequent stipulation which secure for the State a greater degree of separation than the other acceding states. An acceding state can stipulate for a greater measure of autonomy than other. But there are real differences between Jammu and Kashmir about the degree and extent of autonomy secured. The degree of integration and separation can be varied by varying the number of subjects on the state list, but accession to India does not establish the State to repudiate the basic concepts of the Indian constitution.

Most people in Jammu would like to join India as other States have joined. There is nothing communal about it. This desire is natural as complete integration with India brings some immediate economic benefits and we stand in need of immediate economic relief. But the people of Jammu will always be prepared to accommodate the other point of view and they will agree to the State retaining a larger number of subjects on the state list as a compromise. But the following basic issues admit of no compromise and the government of India should take, therefore due note of them. Whatever, degree of State's internal autonomy we shall not subscribe to a constitution which does not provide for:

a. Integration of State's territory with India and hence abolition of Custom or any other condone.

b. The powers of the Union President as the Supreme Head of the entire territories of India including the

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State.

c. Jurisdiction of the Union Supreme court as the guardian of the law and constitution.

d. The fundamental rights granted by the Indian constitution

Ruling House

The question of the head of the State also is not so simple. We do not oppose the dissolution of the ruling dynasty if this can facilitate the accession of the entire state to India. But the dissolution of the head dissolves the existing political unity of the various national areas. The state is in the main composed of four distinct geographical regions which had different status before they were brought together into one political unit.

1. Jammu National area between Banihal and Ravi was a principality held by the Raja Gulab Singh Ji.

2. Ladakh was a part of Tibet but was conquered by Raja Gulab Singh in 1842.

3. Kashmir and the Northern areas were secured through treaty of Amritsar in 1846.

4. Poonch was a Jagir of Raja Dhian singh, Raja Gulab Singh's younger brother.

With the dissolution of the ruling house the sovereignty reverts to these national areas and new unity can only be forged if the independent status of the regions is recognised and accepted. If the State is to function within Indian Constitution the removal of the ruling Prince places following constitutional alternatives before the State Government.

a. It can advise the President that he may after consulting the wishes of the people merges it with adjoining State or States.

b. It can inform the President that the State may now be admitted as part A State.

People in Jammu would not strive for the disintegration

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of the state as a Unit. The state has come to them as a heritage from their illustrious forefathers. They are prepared to accept the (b) alternative in spite of the fact that merger with Himmachal would culturally and linguistically be more natural.

BOUNDARIES OF THE VARIOUS REGIONS

This is another very important question. It is reported that the areas between Pirpanchal and the Patni Top are being integrated with kashmir and Rajouri and Poonch is being declared as a separate autonomous region. The creation of these regions has to be viewed from the larger interests of the security of the northern frontiers of India. We met Professor Shibban Lal Sexana some two years back and supplied him with a written note of the subject warning him that sooner or later Kashmir would declare itself to be an autonomous republic and would try to grab as much of territories as it can. Unfortunately, we have not the note with us. But the truth of the Statement can be ascertained by referring to Professor Shibban Lal who may still have the note with him. The people of Jammu will not submit to the partition of their areas and shall whatever their political belief or party alignment stake their all for the integrity of the areas between the Pirpanchal and the Ravi. The integrity of these areas is essential from India's point of view as well. This area of the Middle mountains is of great strategic importance. The Kishtwar Tehsil is the biggest and of the greatest economic and geopgraphic significance. The great Himmalayan Zanskar range separates it in the east from Sarru and Zanskar illaqa of Ladakh and Pirpanchal to the west separates both Ramban and Kistwar from the Kashmir valley. The south east is bounded by Pangikulu Lahol. Thus Kishtwar occupies a very important strategic position in the geography of the regions lying north of Himmachal Pardesh commanding routes into the valley, Ladakh, Pangi lahol and plains of the

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State. If this region is taken away from Jammu the security of Jammu, Himmachal and Pangi Lahol will be seriously affected. Moreover, we feel that the demarcation of the boundaries as reported in the Press divides the territories of the State into Muslim and non Muslims areas which amounts to directly playing into the hands of Pakistan. These areas are economically, culturally and geographically part of Jammu province and on this there cannot be any compromise.

But in case India is unable to exert pressure for integration on account of any previous commitment we hope and believe that Govt. of India will help us in securing our just place in the arrangements contemplated. There is acute discontentment among the people in Jammu and a satisfactory solution of the issues raised will relieve discontent to a great extent. In case Kashmir chosen to be an autonomous unit we submit an alternative arrangement which can meet the aspiration of the people of this place to a large extent. (copy enclosed). In case aspirations of the people of this place are not recognised and accommodated there is a great danger of the situation deteriorating. We feel it our duty to inform the Govt. of India through you of the facts of the situation.

The following is the statement issued by Shri Durga Dass Verma-The General Secretary, The All J&K Praja Parishad when mr. M.A.Beg announced in the J&K Constituent Assembly that J&K State would be an autonomous Republic with in Indian Republic[52]:-

The following is the full text of the Statement issued by Sh.Durga Dass Verma, General Secretary, All Jammu & Kashmir Praja Parishad on 28.3.1952.

"My attention has been drawn to the recent statement of Shri Mirza Mohd Afzal beg in the Kashmir consembly that "State of Jammu and Kashmir would be an autonomous Republic within the Indian Union and that the State would have its

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President as also its own National Assembly"etc.,etc. While highly disappointing to the elements desirous of speedy integration of the State with Bharat, it has not in the least caused any surprise to the Parishad circle at large. Whereas it confirms our oft repeated doubts regarding this sinister move towards independence of the present rulers of the State, it must serve as an eye opener to the people of the Indian Republic.

Shri Sheikh Abdullah's and his lieutenants' these ill advised utterances are a timely pointer to prove what is being manipulated behind the screens. The present declaration of Shri Beg to the above effect is only a final release of all that the Kashmir National Conference leaders by virtue of being the unquestionable masters of the State at present, expressed so often by Shri Abdullah himself, though hesitantly and diplomatically.

Evidently this goes against Indias' interest, its integrity, and solidarity. This specially privileged and extraordinary position of rulers of the State, is sure to tempt others to develop the same separatism and independent tendency. The recent statement of His Holiness Shri Kashyp Kushak Bakula Bagkila, the head Lama of Ladakh, bears testimony to this apprehension. Every patriotic Indian will be perturbed to note this political drama being staged in the State, at a time, when the internal conditions definitely ill afford encouragement of such unfortunate tendencies among the different cultural zones of the State. Because of these impolitic declarations of the bosses of the party-in-power, I see no means to checkmate this frustrated psychology, which if allowed to develop shall ultimately bring disaster for the whole state.

Further what is of more importance is that it shall besides leading to social disintegration, make us perpetual political slaves to this one party dictatorship and shall withhold our economic emancipation.

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The people rightly feel that their ultimate salvation lies in the application of Indian Constitution, as at present there exists no liberty of press and platform, and mass detentions simply of political reference, without trials characterise the present set up in the state. Judiciary merely serves a routine constituent of State hiarchy and is under complete control of the all powerful executive. Thus the proposed autonomous Republican set up within Indian Union shall further go on crushing the poverty striken people of the State under the heavy toll of Customs duty.

In view of all these factors Parishad's stand of complete and unconditional accession of the State with India and the removal of discriminatory Section 370A from the Indian Constitution represents the inner feeling of the entire state. We are of the opinion that it shall not only make the people of the State one with India, but shall also provide them with opportunities for progress on equal footing with their Indian brothern. The fact that this very pro Indian stand of the Parishad has been responsible for the disrepute it has accumulated from the interested elements within and without the state, represents an unprecedented historical irony. All the insinuations, insults and humiliations are being suffered by it, as it stands by India, for India and with India.

Now when shri Beg has laid true cards before the public eye, we hope it shall help the Indian masses to read the true implications and complications of issue and thus afford them an opportunity to rise to the occasion.

As stated often Praja Parishad is the most dependable unit in the state. It is prepared to shed its last drop of blood to achieve its objective of application of Indian constitution in the State, which is knowingly obscure to Shri Abdullah. The charges of communalism, sectarianism, provincialism etc., are themselves belied by the fact

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that the Parishad stands for the most secular constitution of India. It is too simple to need any further clarification or comment.

The hostile attitude specially of the English Press of Bharat towards Praja Parishad is unfortunate in as much as it is unconsciously cutting at the very roots of Indian unity and solidarity and of oneness of policies and programmes. The cold welcome with which the Parishad is received or is made to be received would rather jeopardise Indian interest themselves, which Parishad endeavours to safeguard not caring even for its extinction.

I hope that the said statement by the Hon'ble Revenue Minister in the State Constituent Assembly would serve its useful purpose by giving a strong jerk to those who are complacent about the Kashmir's affairs and let them think seriously about this emerging headache to the Indian Republic.

Jai Bharat

Sd/- Durga Dass Verma
General Secretary
All Jammu & Kashmir Praja Parishad
Jammu

Mr. N.G.Ayyanger, the then minister of States of India, who visited Jammu in April 1952 to study the situation and to cool passions, advised the framer of the State Constitution to be practical and not led by shibboleths and theocratic ideas and rather display a measure of political wisdom[53]. At this instance the Parishad leaders were released. As a result the National Conference leadership in general and Sheikh Mohammad Abdullah in particular felt this as a central intervention[54].

Pt.P.N.Dogra, the President of the All J&K Praja Parishad had issued the following statement of about the student agitation on 8.4.1952[55]:-

PRESIDENT ALL JAMMU & KASHMIR PRAJA PARISHAD

Whereas it has been my endeavour and that of the

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organization I have the honour to represent, to exercise necessary restraint in bringing to public light all the ommissions and commissions of the government for the healthy function of the Democratic set up of the State for the last so many years of our existence, least exposers at this state of our country's histo- may not strengthen the hand of our common enemy, it still remains an unsolved problem with me, as to what necessiated my arrest and the reign of terror thereafter.

Inspite of the fact that our assertions during and after the students protest and incidents thereafter, to the effect that the said students' movement was going on quite independent of our guidance and patronage have fully been substantiated, I still stand by my February 8th statement, demanding the institution of an independent enquiry commission to prove the validity of the Governments action, which the latter is justifying so much even now.

Ever since the installation of present Government in the State all political detentions without trials have been carried out simply on political differences. Quite astonishingly I find not even a single instance when the present Government has cared to try a political detenue in an open court of law and furnish him with every legitimate facility that the law entitles him for his defence. Such an attitude on the part of the present Government besides being undemocratic is quite unbecoming for the much propagated popular character of the present regime. The natural result of all this is that a sense of despair and insecurity prevails throughout.

The present dramatic "closure of the chapter" lends further belief that all the political opposition shall not be spared in the present set up of the State and shall therefore be an occasional pray for the bureaucratic irresponsibility and police lock ups. In view of the claim that the party in power taken fancy to reserve for itself,

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it was expected that it shall establish decent political precedents in dealing with opposition. But is unpleasant to remark that our experience of the last 5 years has fully disappointed us in our expectations. Therefore the political capital that the Pakistan Government takes out from the mass risings, directed for economic betterment and political ameolatriation is the result of sheer lack of realism and civilised diplomacy of the rulers of the State. I wish even now the Government would realise its duty and acknowledge boldly the errors it is guilty of committing these years of its misuse of power and list thereby sorty political institutions to be followed by others.

Now with our release, when the eclipsed political horizon of the state is somewhat clear before me, and all out stock taking is necessary in order to formulate our future policy.

It is painful to note that the Government has rushed through the most undemocratic method of nominating the States's representatives to the Indian parliament, in quite disregard of our innocent clamour for their election, the practice which was followed in other states of India. Not only this the leaders of the party in power had the courage the express unreservedly and in unequivocal terms, their mind in the future relationship of the state with India. The said desire to establish an autonomous Republic within India must have disillusioned the common tax payer of India, whose sucked blood is continuously being injected into the veins of the present state secretariat by the Indian exchequer, and has so far reciprocated our occasional jerks to rise and resist this sinner move, with indifference, but it confirms by fears expressed so often through press and platform.

Before my arrest I was in correspondence with the President of India on the subject of getting elected the

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state representatives to the Indian Parliament, but what did I know that the party in power is out to play with popular sentiments and gage the voice for such an election. The doubt that the Government did not intend to throw the choice for the people verdict is confirmed and needs therefore no proof.

Mr. Beg's declaration, which Sheikh Sahib has fully endorsed, that the constitutional relationship of the State with India, shall be that of a "Republic within Republic" raises a pertinent question, viz a viz purpose of sending our representatives to the Indian parliament?

If we are Pakistanis because we clamour for Indian constitution, we are reactionaries, because we demand election of the representatives for the Indian parliament and we represent disgruntled feudal elements, because we court arrest for complete and unconditional accession of the state with Bharat, then what is the wisdom of having any relationship with India. I earnestly pray that reason may prevail upon the National Conference lead to realise the great potential benefit that the unconditional accession and our complete integration with India shall bring in its wake for us. On the contrary the proposed Republican set up shall lead to the Balknisation of India and shall in the long run weaken the state's position both economically and politically.

The situation demands a revision of policy and all out without drawly from the original stand for the mutual benefit of India and the state.

While concluding I shall, while appealing to all the democrats and patriots of Bharat to wake up and prepare for this great threat to the integrity of our motherland, demand emphatically of the government to restore all the civil liberties and end once for all the existing police harassments. The continued detention of one of my colleague's Sh. Makhan Lal is causing great concern to all

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of us and I wish him to be released immediately.

In the end I expect that not only the sympathies of India, but also all the resources at its disposal to help us in realisation of our goal which is really India's aim.

Jai Bharat

Dated 8.4.1952

(Prem Nath Dogra)
President
All Jammu & Kashmir Praja Parishad,
Jammu.

The following was the Press note released by the J&K Praja Parishad about the incident took place after the release of Parishad workers from Srinagar jail in 1952:-

Press Note

One hundred and fifty seven Praja Parishad satyagrahies were released from Srinagar jail on Ist of August at 7 p.m. Seven satyagrahies in that jail have not yet been released. They have been singled out because they protested against some derogatory remarks against the Parishad and its leader by the Deputy Superintendent of the Jail. Prominent among those released are Shri Shym Lal Sharma organizing Secretary Jammu and Kashmir Praja Parishad, thakur Raghunath Singh Samyal, the famous Dogra poet and Shri Mulkh Raj Advocate of Samba.

The released satyagtrahies were sent to jammu on the State transport buses without any police escort. At Dalgate an organized attack with stones and acid bottles was made on the bases carrying satyagrahies by big mob which had been collected there. As a result more than a dozen satyagrahies received injuries. This news has created great resentment in Jammu. The satyagrahies were also not given bus fare for their respective home places. The satyagrahies on their arrival in Jammu were received by Pt. Prem Nath Dogra and a large number of other Parishad workers and citizens of Jammu at the Amphalla Octroi

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post.

It is learnt from the Satyagrahies that they were badly maltreated in jail. A number of them were mercilessly beaten just on the eve of their release.

The General Secretary of the Parishad has sent telegram protesting against this treatment to released satyagrahies to Pt. Nehru, Dr. Katju and Sheikh Abdullah and Bakshi Ghulam Mohammad.

Publicity Secretary
All Jammu and Kashmir Praja Parishad, Jammu.

The following statement issued by Pt. P.N.Dogra President All J&K Praja Parishad on 12th April, 1952 after his release from the Jail:-

"The Jammu College boys's hunger strike has come and gone, but the trail it has left behind has been rather acrimonious. The Government issued a press communique on 8th Feb, last justifying the extraordinary measures to suppress the students's agitation wherein the Praja Parishad was implicated and accused of "subverting authority" a not uncommon shibbiloth copied from the British masters in India, and "inspiring the student to violence" an unwarranted an unsubstantiated charge. I at once contradicted the Govt's allegations and demanded an open, impartial and independent commission of enquiry to punish the guilty, but instead I was arrested with my colleagues that very night, under the dark cover of 79 hours curfew clamping the city. After full two months detention in the icy cold cells of Srinagar Jail, I have now been released, but still I find that not all the arrested comrades have been set at liberty.

The present arrests have, however, confirmed the impression that the govt. claiming to be the representative of democracy arrests people, detains them in jails, for undefined period without trials and resorts the undersirable restrictions on the liberty of the people. This is no

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democracy. Everyone in the State holding a political opinion different from that of the party in power but in no way anti national is unsafe in the present regime, a state of affairs which does not add the fair name of the Government.

My arrest was made at a time when I was in correspondence with the President of the Indian Union in the matter of choosing members for the Indian parliament from the State of Jammu and Kashmir by election like other part B states of Hyderbad, Mysore, Saurashtra etc. and not by nomination as has now been done. Persons of unrepresentative character have been elected in defiance of the people's genuine demand. The general feeling among the public has been that these unjustified arrests were simply resorted to gag the popular voice and suppress opposition constitutionally started by the Praja Parishad. It is no tall talk that the Praja Parishad stands for unequivocal and complete accession to India with full application of the Indian Constitution and the extension of the jurisdiction of the Supreme court of India to the State. Every one in the State has been simply disappointed and shocked at the speeches of Sheikh Abdullah and his Revenue Minister Mr. Beg declaring that the State is independent in all respects and that the Constituent Assembly nominated by their party is sovereign for all purposes even to the extent of making the State a "Republic within a Republic".The position taken by these two leaders of the National Conference is not only unpatriotic but a challenge to the very Government of India uncertainty from the enemy on the one hand and economic starvation on the other and to the Union of India to which we claim from the house stops to have acceded. ~~We~~ speaks an ingratitude which no citizen of kashmir would endorse. I and my party want to reiterate in clear terms that our state has acceded to India for all matters and if any attempt is made to restrict or limit the full accession by continuing the

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unwanted Art. 370 in the Indian Constitution, we shall not hesitate to offer any sacrifice to resist it.

In the interest of India and the State, I would respectfully urge the President of the Indian union.

i. To appoint an independent commission to enquire into the recent college Boys' hunger strike and the Government's charge of Praja Parishad's hand therein, as also the unwarranted and vindictive measure taken by the Government.

ii. To have the unwanted Art 370 delete from the Constitution of India so as to extend the full benefits of the said constitution to the people of the State of Jammu and Kashmir together with the jurisdiction of the supreme court.

iii. To cancel the nomination of 10 members from the State to the Indian parliament and order their election like other part B states.

iv. To undo the disintegration or the Jammu province into unwanted administrative units of Doda and Poonch Rajouri, to restrain the Govt. from the intended move of breaking of Ladakh province.

v. To issue a directive to the Govt. of the State that all talk of a "Republic within a Republic" is unconstitutional and that no member of Govt. party, or individual should indulge in such irresponsible declarations which are calculated to strengthen the enemy's hands when the fate of the state is hanging in the balance and

vi. To order appropriate measures being taken by the Govt. of India to grant an equal status to the people of the State with the people of India, and remove unwanted and restricted barriers of customs.

In the end, I want to thank my country men who despite of grave and extreme character have given proofs of their tolerance and patience, by a silently boring the vagaries of the Govt. in power. I assure them that the

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Praja Parishad will not rest content until it attains the cherished goal for which it considers no cost the high and no sacrifice too great and expect every true citizen of the State to offer and lend it his or her support, unstinted and sincere.

Before closing I would like to sound a note of friendly warning to the Govt. That they should behave as true servants of the people and not get puffed up with power to suppress their legitimate aspirations by resorting to tactics once employed by foreign Govt. of India.

Prem Nath Dogra
President
All J&K Praja Parishad Jammu."

Jammu
12th April, 1952

Pt.P.N.Dogra then went New Delhi to seek audience from Pt. Nehru the Prime Minister of India. He wrote a letter to Pt. Jee in this connection. But (audian) had been refused. Pt.P.N.Dogra then wrote the following letter to Pandit Ji on 27th may, 1952":-

Dated, New Delhi the 27th May, 1952

Respected Pandit Ji,

I am pained to find from the letter of your Private Secretary that you have turned down my repeated request for an interview.

I have come from Jammu expressly with the idea of seeking your guidance about the difficult situation that has been created in the State by the declaration and policies of the Kashmir Govt. particularly those concerning the future relationship of the State with India. Those who do not completely agree with the stand taken by the National Conference are not allowed to open their lips in the state and are not given any hearing by your Govt. as well. But when they do anything to vindicate their stand both you as also Sheikh Abdullah's Government pounce upon them. This is a most unfortunate position.

Moreover, an interview had become necessary to remove

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the wrong impression given to you by the interested persons regarding the alleged misuse of my previous interview with you.

I expected a more considerate and broad minded treatmenent from you. But the attitude adopted by you has disappointed me.

Yours Sincerely
sd/ Premath Dogra
All Jammu & Kashmir Praja Parishad,
Kalabadi, Reading Road, New Delhi.

Shree Jawaher Lal Ji Nehru
Hon'ble Prime Minister
Indian Dominion
New Delhi.

The ~~National Conference Govt~~. had sent the following note to shri N.G.Ayanger in 1952:-

" One of the most difficult problem is framing of Jammu and Kashmir State's constitution is to satisfy regional aspirations and other demands of a like nature. The draft circulated has suggested the division of the State into four administrative regions. But this regional division proposed in the draft, I am afraid, will relate to the fragmentation and disrupt the progressive political movements in the State as a whole. The proposed regional redistribution of areas has ignored geography, natural barriers, physical lay out of the land natural outlets, economic and trade relations, and cultural affinities. The draft envisages an unnatural grouping of areas mainly on communal percentage of population, which if agreed to, might do infinite mischief to the growth of secular politics. the arrangements contemplated will fan communal and racial rivalries and passions, foment communal combinations and encourage communal alignments. The creation of Doda and Rajouri Districts was in the main a purely administrative measure and assurances to this effect were

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given by the Govt. at the time of their creation to the people of those areas and the people of Jammu. Moreover, such a move at this juncture will help to strengthen the Imperialist plans for a zonal and communal partition of the State.

But similar problems have arisen elsewhere and it would be of immense help to see how they were solved. An attempt should be made to meet regional aspirations without creating separate Govt. heads, without incurring extra expenditure or effecting fragmentation of financial resources. The case of Austria-Hungry of the pre-1914 era is an instructing instance. If we call Austria-Hungry a Union, Hungry a province and croatia, a sub province of Hungary, the relations between the province and the sub province were as follows:

1. The Union, the Province and the sub province had a common Head.

2. Each had its own legislature and executive dealing with its own subjects.

3. The sub province had its own contingent members both in the provincial legislature and the Union legislature.

4. The sub province had a special Minister in the provincial cabinet.

5. The sub province had its own official language.

Another useful instance is the Government machinery in the united Kingdom for this purpose, it useful to study the administrative arrangements obtaining in the country in 1912, when the whole of Ireland was still as a part of the United Kingdom. In the U.K. Cabinet of 1912 there were 15 members concerned with domestic administration. If, therefore, dealt with subjects of common interest and exercised their powers in each of the three parts of U.K. Of the rest three were exclusively meant for England, one Secretary of the State for Scotland had functions only in Scotland and one had functions only

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in Ireland; others had functions in one part and some in more than one. On the legislative side there was also some measure of regionalism.

It is possible to adapt these arrangements with suitable modifications to the State conditions and meet the desire for regional autonomy to a considerable extent, without jeopardising the political, integrity of the State as a whole. The following arrangements based on the two instances quoted above, if considered, can satisfy to a large extent local aspirations without breaking up the state. These arrangements will constitute a particular mode of administering an existing Unit.

1. For more convenient transaction of business the State of Jammu and Kashmir may be divided into two administrative Units, the province of Jammu and the province of Kashmir. The Kashmir province shall consist of the three districts of the Kashmir valley, and Tehsils of Kargil and Ladakh. The Jammu Province shall comprise Jammu Kathua, Udhampur, Doda and Poonch-Rajouri Districts.

2. The executive Head of the State will also be the executive Head of the province.

3. Both the provinces will have a common legislature elected on adult franchise which shall meet twice in Jammu during Winter and twice at Srinagar during Summer and Spring Autumn.

4. During the first fortnight of its Session, the legislature shall function as the provincial legislature of the province in which it has met, when members elected from that province need alone be present. For the remaining period of its session, the legislature shall meet as the National Assembly of the State as a whole.

5. The Head of the State will be advised by provincial Ministers elected from the legislatures of that province in affairs relating to the provincial subjects and by the central cabinet for affairs of common concern/

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6. The provincial Ministers will have their permanent Headquarters at the Capital of the each province, where as the Ministers of the Central Cabinet shall move during Winter to jammu and during Summer to Srinagar.

7. All executive actions of the Government will be taken in the name of the Head of the State and deemed as the executive action of the Jammu and Kashmir Government. How and by whom the action is taken is purely a matter of domestic arrangement.

8. The action of the legislature similarly will be deemed as the action of the State National Assembly. Through which particular set of legislators, the State legislature acts for a given purpose is again domestic detail.

9. Each province shall have its own official language or languages.

10. The cultural and linguistic minorities in each province shall have statutory right to receive education through the language of their choice and there shall be a minister belonging to that University to look after their interests in the provincial set of ministers.

11. The following subjects shall be deemed to be of provincial interest localself government, panchayat rural development, Co-operatives, Public Health, Veterinary, Education;Primary and Secondary, Libraries, Museums and Institutions of like nature, Relief and Rehabilitation, Roads, Works, Lands and Buildings, Bridges, in land water ways, Ferries. Agriculture; irrigation, Water supply, Electricity, Forests, Protectionof wild animals, Birds and fisheries, Mines and minerals development, Inland trade and commerce, Tourism, Inland transport, Markets, Fairs, Pilgrimage, Theatre, Cinema, Batting and gambling, Planning and Industries.

12. The following Heads of revenue can be pooled for the provincial administration fund:-

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a. Land Revenue, Abiana etc.

b. Income from Forests.

c. Taxes on the entry of goods into a local area,

d. Tax on the consumption of electricity and water supply

e. Tax on animals, boats.

f. Fines for offences against laws, with respect to matters on the provincial list.

Such an arrangement has several advantages. It:

1. Meets to a large extent the demand for regional self-rule. The degree of separation and autonomy can be varied by extending or reducing the list of joint subjects.

2. It avoids unnecessary overhead expenditure. The creation of two set of ministers will not necessarily mean increase in expenditure. The creation of provincial minister will obviate the necessity of deputy ministers and some inter provincial Heads like the Chief Conservator of Forests, Director General rural uplift and Tourism etc. etc. the present combined secretariat is already over staffed. It can easily be reorganised and redistributed to suit the arrangement of Two set of ministers.

3. It meets the fears of distinct culture and linguistic minorities without breaking the geographical and natural unity of the area and without encouraging communal and other disruptive tendencies.

- Tains

4. It mains the political integrity of the State.

5. Still greater cohesion and uniformity between the working of the two provincial administrations and the centre can be secure by evolving a working convention whereby the senior minister from Kashmir provincial ministers may be allowed to function as the Prime Minister of the State and the Senior provincial minister from Jammu to function as the Deputy Prime Minister in addition to the provincial work allotted to them. Each can represent his provincial Govt. When the National Assembly is in

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session in the province other than the one which he represents.

The plan suggested may at first sight seem to be cumbrous and unusual. But the detailed arrangements will in fact be secured not by provisions in the constitution but by rules of business framed and by evolving suitable legislature and executive convenience and precedents. If some particular mode of business is found to be defective it can be altered by altering the relevant rule of business.

For the arrangements proposed and the analysis of the different constitutions, i am indebted to the Pamphlets on Regional arrangements published by Shri B.N.Rau, the World known Jurist and Constitutionalist."

The subsequent political developments, activities and utterances of even some of the top National conference leadership had encouraged the disruptive forces to make a fresh attempts to disintegrate the State. Sheikh Abdullah was said to be drifting away from the rest of India and even Jammu and Ladakh regions. In a sensational speech on April 10,1952 at R.S.Pura Sheikh Mohammad Abdullah, while referring to 'unrealistic, childish and insane" arguments for full application of the Union Constitution to the State, he said:

> "No one can deny that the communal spirit still exists in India. Many kashmiris are apprehensive as to what will happen to them and their position if, for instance, something happens to Pt. Nehru...As realist, we Kashmiris have to provide for all eventualities. If a special status for Kashmir was not granted in Indian Constitution, how can we convince the Muslims in Kashmir that India does not interfere in the internal affairs of Kashmir? We have acceded to India in regard

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> to defence, foreign affairs, and communications in order to ensure a sort of internal autonomy...If our right to shape our own destiny is challenged and if there is a resurgence of communalism in India, how are we to convince the Muslims of Kashmir that India does not intend to swallow up Kashmir...Such developments might lead to a break in the accession of Kashmir to India[62].

He repeatedly assured his people in Kashmir that he had never surrendered to Muslim communalism of Pakistan and would never surrender to Hindu communalism of India[63].

He further said:

> "If Jammu and Ladakh so desire they can integrate with India and leave valley free to have a limited accession[64].

In another speech on April 18,1952 while addressing a mammoth public meeting at Hazratbal, he said that Kashmiris in no way were prepared to renounce their cherished ideology in furtherance of which they had afford blood and sweat during the two decades. He further added that Kashmir had acceded to India in respect of only three subjects-Defence, External Affairs and communications and that they enjoyed complete freedom in their internal affairs and had the right to shape their destiny according to the wishes of the people[65]. In another speech at Hazaratbal on April 25,1952 he, while discussing Indo-Kashmir relations, pointed out that the whole world was aware of their policy that the consembly would decide three important issues-framing of constitution, the future of the ruling dynasty and the accession of the State[66].

These speeches caused an uproar in some parts of the state and the Indian press and the public opinion was also much agitated.

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Meanwhile, the constituent assembly unanimously pass the following resolution adopting a new flag for the state replacing the Dogra flag, on June 7th 195[illegible].

"The flag of J&K State shall be rectangular in shape and red in colour with three equidistant vertical strips of equal width next to the staff and white plough in the middle with its handle facing the strips. The ratio of width to the length of flag shall be 2:3".

Sheikh Mohammad Akbar, one of the member of the consembly then recited the following poem of the Flag (A National song) in the House while all other members kept standing".

Sheikh Mohammad Akbar:

A NATIONAL SONG

Let this Flag of Kashmir be unfurled.
The flag of our people,
Of young and ood alike,
Of the strong and the non violent,
And of our poor peasant
Whenever plough the land.

Let this flag be always flying
Over our valleys and our lakes,
Till the day of Judgement
Let it raise its proud head

May this Flag forever fly
Over the meadows and the mountain tops
Over pastures green and rushing streams
And limitless expense of land
May it ever fly over the houses of the poor

And adorn the mansions of the rich

Let this Flag be ever flying

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In the four corners of this land
Till the day of judgement
Let this our symbol be

This red Flag of Kashmir,
This beloved flag of our,
And of our peasants too.
Which brings succour to the poor
And the down trodden
And gladdens every heart.

May it fly forever
In every nook and corner
Till the day of judgement,
May I behold Thee.

It also restricted the use of Union flag to formal occasion. Pt. Prem Nath Dogra in a statement said that the decision of the Constituent Assembly was narrow sighted and ill-conceived and reflected one party's ideology, that solely comprised the Kashmir consembly. He further added that the provocative decision of Constitutent Assembly had caused deep resentment throughout and particularly inthe province of Jammu[67]. On the other hand an interim report recommending the abolition of hereditary monarch and the elected head of the state was presented to the consembly by the basic principles committee on June 10, 1952[71] and it was unanimously adopted on June 12, 1951 while condemning such decisions the Praja Parishad leaders pointed out that the people of the Jammu were being made to cry for self-determination, and that the will of the Kashmir valley people could not be forced on the people living outside it[68].

Pt. Prem Nath Dogra, the President of the All J&K Praja Parishad issued the following statement condemning the adoption of a new flag for the state as well as

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abrogating Monarchy in J&K State on 12.6.1952":-

STATEMENT ISSUED BY PT. PREMNATH DOGRA ON 12.6.1952
PRESIDENT PRAJA PARISHAD.

Events are moving post haste in our state. Momentous decisions are being rushed through by the unrepresentative constituent assembly by Sh.Abdulla at Srinagar;The first instalment of which (State Flag) was dished out to us on Saturday the 7th of June 52 and the 2nd (Ruling Dynasty) is being presented to us on a platter of challenge in a day or so. In one breath of heated passion the C.A. was made to vote a New Red Flag in place of the time honoured State Flag and as a rival flag of Union of India to which we have acceeded.

Sensing that such an unhappy step was being taken by N.C.constituent assembly, I apprised the President of Indian union, the Prime Minister of India and other top ranking political leaders in time and be sought them to intervene in the larger interests of the people, the State and the Union of India especially in view of the fact that Kashmir dispute was still pending with the security council and any incautious step taken or any undersirably measure adopted may not adversely affect our vital interests.

Since the provocative decisions of the C.A.have caused deep resentment throughout and particularly in the province of Jammu, I have summoned my Executive to meet on 14th and 15th of June to discuss the State Flag, the position of the Ruling Dynasty future relations of Jammu with the rest of State and other very important matters concerning the welfare of the country and its people as a whole.

In order that people of Jammu province may not give any individual expression of resentment or take any step without due consideration as a mark of protest against such narrow sighted and ill conceived decisions of the one party constituent assembly or the irritating speeches of its members (which are infallibly relayed on the govt.

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from p 139 (Part II)

Shri Amar Kashatriya Pranlik Sabha, Jammu also resented these decisions and passed resolutions against them, ~~the following Telegram~~ the copies of which were sent to Government of India.[74] The following telegrames based upon the resolutions were also sent to the Indian leaders on ~~14th~~ June 14, 1952.[75]:—

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111 The following is the full text of the memorandum submitted by Pt. P. N. Dogra to the President of India and copies of it to ~~the other P.M and the P.M~~ Pt. Nehru and Dr. Katju:—

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Radio of Kashmir) I appeal to all my countrymen to remain quiet and await the instructions of the P.P.Executive.

Jammu
12.6.1952

sd/ Prem Nath Dogra
President,
All J&K Praja Parishad.

In a 22 point memorandum submitted to the then President of India, Pt. Prem Nath Dogra, the President of the All J&K Praja Parishad on June 19,1952, pointed out that recommendations to make Kashmir as an Autonomous Republic within Indian Republic with separate National Assembly, president and judiciary and subsequent speeches of Sheikh Mohammad Abdullah had made it clear that National Conference wanted a very loose relationship and not full accession like other part 'B' states".

Pt. P.N.Dogra had made the following representations to Rajendra Prasad Ji, Rashtrapati, Indian Union on 19th June 1952:-

To,

1. Shree Dr. Rajendra Prasad Ji
   Rashtrapati, Indian Union.
2. Shree Jawaherlal Ji Nehru,
   The Hon'ble Prime Minister,
   Indian Union.
3. Dr. Kailash nath Katju,
   The Hon'ble States Minister,
   Indian Union.
   New Delhi.

May it please your Excellency,

The future of the *Jammu and Kashmir State*, particularly its relationship with India is a matter of vital and paramount important to the people of the state. The people of Jammu are particularly anxious to ensure that their state becomes firmly and finally a permanent Unit of the Indian Union and are prepared to pay any price for it.

It was this anxiety to be one with the rest of India

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that induced the people of Jammu to offer their fullest cooperation to the Kashmir National Conference when powers of day to day administration were transferred to it by the Maharaja at the behest of the Government of India. This was done in the hope that the leaders of the National Conference would overcome their past prejudices against the Dogras of Jammu and carry the whole people of the State with them to achieve the common goal of full accession to India.

3. But unfortunately Sheikh Abdullah's government not only failed to appreciate this cooperative spirit but even mistook it for a sign of weakness and adopted a policy of systematic deliberate discrimination and repression against the people of Jammu province generally and their representative body the Praja Parishad particularly. This responsive and discriminatory policy extends to all spheres of political, economic and cultural life of the people and even amounts to interference in their religious life.

repressive

4. In the first place the civil liberties of the people of Jammu, their freedom of speech and their right to participate in formulating and if necessary of criticising Government policies particularly those relating to the relationship of the state with India in a constitutional manner, have been completely denied and effectively curbed by frequent arbitrary use of section 50 of the Defence of Kashmir Rules, and the Public Security Act. Not content with this wholesale suppression, Abdullah's Government has started a regular campaign of harassment of the people by initiating general censorship of press post and telegram and introducing measures whereby the relatives of the Praja Parishad people are made liable to lose their appointments and pensions. There are cases where such steps have already been taken. As a result, the voice of the people, who are dissatisfied with the present policy

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of limited accession and want closer and complete union with India, has been completely gagged. Newspapers that dare criticise the Govt. have been suppressed and silenced. The Indian Newspapers that happened to be sympathetically critical of the policies pursued by the Kashmir Govt. have been banned in the State. The President of the Praja Parishad and his co-workers have been repeatedly arrested and detained without trial for long periods. Recently, in February, this year, the student's agitation against the use of the party flag at a public function in place of the State Glaf was made an excuse to adopt repressive measures against the Praja Parishad and a veritable reign of terror was let loose on the people of Jammu. A number of its prominent workers were externed from the State. This has made the condition of the people much worse than it was even under the old autocratic regime. The people of Jammu and Kashmir have no fundamental rights and cannot approach even the Supreme court of India for protection.

5. In the educational sphere systematic efforts has been made during all these years to break the linguistic and cultural ties that bind the state with the rest of India. Hindi occupied an equal place with Urdu in the educational life of the State before accession. Now it has been completely relegated to the background. Urdu has been made the officials language of the state and the medium of instruction in the schools. Even the Text Books meant for girls are full of difficult Persian and Arabic words which even the Teaches do not understand. Urdu has been made a compulsory subject for the Matriculation Examination. A sense of Kashmiri Nationalism, as distinct from Indian Nationalism, is sought to be created through the books prescribed for the school going children.

6. Among the seven men who constitute Text Book Committee of the State, there is not a single person belonging to Jammu or to the minority community.

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7. A separate University for the few colleges of the state has been established entailing heavy burden on the state exchequer only to cut of the educational and cultural ties which a common University created between the students of the State and of India. Even the examination papers are set with the object of creating anti-Dogra feeling in the examinees as will be clear from a perusal of English paper B, for the Intermediate Examination 1952 of the J&K University

8. In the administrative sphere, the party interest have been carefully nursed at the expense of merit, fairplay and the wider interests of the state. Recruitment to the services used to be made through open competition or on merit and seniority during the Maharaja's Regime. Now, the only qualification for winning or retaining a public office is party affiliation. Almost all the key posts are held by men from the Kashmir province. Sheikh Abdullah has publicly declared that he wants the party and the Government to be managed entirely by the same personnel, ignoring that this practice is followed in totalitarian states. Communalism, against which Sheikh Abdullah is fond of talking so loudly, is being practised so extensively in the state administration that notices advertising vacancies of Govt. posts sometimes clearly say that "only Mohammadans need apply".

9. The men in power in the state, judged from the policies they have been pursuing, seem to be determined to make the people of the state feel that they are being ruled from Srinagar.The Training College, which was started by the Maharaja's Govt. in Jammu, has been shifted to Srinagar, the Tosha-Khana, which contained all the valuables and curios of the state along with manuscripts lying in the Jammu library, have also been carried to Srinagar. It was planned to shift the State Press also from Jammu to Srinagar, but this has been postponed for the time being as the

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result of Public protest. Jammu enjoyed the status of a separate province with a separate Governor during the old regime. Now the separate entity of Jammu province has been destroyed by abolishing the governorship and lumping together the District of Jammu and Kashmir under one Commissioner.

10 The territorial limits of the various administration units of the Jammu province have been altered with a view to the eventual partition of the province into Hindu and Muslim zones so that the Muslims may be in a position to act at the critical time to the detriment of India. The Udhampur District which had a clear Hindu majority and acted as direct link between Jammu and Ladakh, has been split up into two units. Its northern areas like Bhaderwah, Kistwar and Ramban, which contain most of the mineral and forest wealth of the state have been constituted into a separate Muslim majority district of Doda, which is intended eventually to be amalgamated with Kashmir. The minorities in the zone are being harassed and threatened to leave the illegal provocative speeches are being delivered by the National Conference leaders inthe very presence of the police without any action being taken. Arms and ammunition is being manufactured and supplied to the members of the majority community. This district besides destroying the natural cohesion of the Jammu province has become a wedge separating Jammu from ladakh. Similarly, Reasi district was split up and a new District of Rajouri Poonch created. The Tehsil of Reasi ~~was~~ a preponderant population of Hindus was joined with Udhampur and the remaining portion of Reasi District i.e. the Tehsil of Rajouri was joined with Muslim majority areas of Poonch. Further, with a view to extend this newly created District of Rajouri Poonch a portion of Reasi Tehsil in the West of River Chenab and certain Northern patwars of Akhnoor Tehsil, which are predominantly Hindu areas are being

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separated to form a new Niabat of Sunderbani.

11. The motive underlying these measures becomes clear when we keep in view the treatment meted out to the thousands of Hindu and Sikh refugees, who emigrated from the Pakistan held territories of the State. They want to settle in the State. There is enough room to settle them all. In Jammu district alone 7,04,914 kanals of evacuee land is available for settlement. But instead of allotting that land to the refugees it has been given to favourites on payment of five times the annual land revenue which amount is being credited to Muslim evacuees fund. The Govt. of India all this time has been spending crores of rupees on feeding these refugees, who are now being sent out to distant places like Bikaner and Bhopal against their wishes.

12. The law defining the term "State Subject" is being so interpreted as to prevent people of Indian domicile from settling in the State. But when it comes to Kazaks from Turkistan, all these laws are out aside and they have been given full naturalisation rights to settle in Kashmir valley. Similarly, lacs of Pakistanis have been allowed to infiltrate into the state during the last four years. They have been helped to settle down in the state.

13. The economic condition of the people of the State, particularly in Jammu and Ladakh, has greatly deteriorated during the last four and a half years. New taxes have been imposed and the existing ones enhanced from two to five times with the result, that their burden has become almost unbearable considering that the average income is about one half of that in the rest of India and the burden of taxation considerably much more. The Govt. control over the Transport and distribution of all articles of necessity is telling heavily on the people. The burden of exorbitant Customs duties *continues to shatter our economy.* A thing worth rupee one at Pathankot costs us between 37% to 50%

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above that price in the state. Within the State, Govt. monopolies have replaced private enterprise to the detriment of the consumer. The charges for transport of commodities to different parts of the State fixed by the Govt. are much higher than the rates charged by the Private transporters. The scope for Private Transport has been practically eliminated by the establishment of the govt. Transport Dept. There is no free competition. Petrol which is derationed throughout India is controlled in the State. This has not benefited the people at all except perhaps a few families of the ruling party.

14. The people of Jammu foresaw the dangerous results of the Government policies quite early. The President of the Praja Parishad, brought these apprehensions and grievances also to the notice of the Government of India. We have undergone all this suffering in the hope that it will end with the complete accession of the State to India, when we will have all the benefits of Indian citizenship including the protection of fundamental rights which is guaranteed by the Indian constitution. But that hope has now begun to change into despair. When the elections to the constituent assembly for the state were ordered last year, we were given to understand that the constitutent assembly would ratify the accession of the state to India. We, therefore, prepared ourselves to take part in the elections. But to our great disappointment, 41 out of 50 — 9 nomination papers of the Praja Parishad nominees were rejected on flimsy grounds and conditions were created through official pressure which made fair elections impossible. I appealed to Sheikh Abdullah as also to the government of India to hold an independent judicial inquiry into the wholesale rejection of nomination papers of the Praja parishad candidates and prevent Government servants from abusing their authority by helping actively the National conference candidates, so that the fears of the people

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regarding partiality of the elections may be allayed. But no heed was paid to our requests with the result that the Praja Parishad was forced to boycott the elections under protest. The constitutent assembly is clearly a packed body and consist of the nominees of single party. It is not a sovereign body. It does not represent the people of the state at all. The people of Jammu have no voice in it. Moreover, the representatives of the state in Indian Parliament are all nominees of this constituent assembly. Thus we have no representation in the Indian parliament either.

15. The announcement made by Mirza Afzal Beg, a member of the Basic Principles committee of the Kashmir constituent assembly, that Kashmir would be an autonomous Republic within the Indian Republic with a separate National Assembly President and Judiciary and the subsequent speeches of Sheikh Abdullah have made it clear that National Conference wants a very loose relationship with India and not full accession like other part B States. So our hope that redress will come to us through the application of the Indian constitution in its entirety to the state has been dashed to the ground. Our very existence as a self-respecting section of the Indian people is now in danger.

16. Further more the recent vital decisions made by the constitutent assembly, regarding State Flag and termination of the ruling Dynasty, have caused deep resentment throughout the state and particularly in the province of Jammu. From this, it is evident that the things inthe state are drifting towards the creation of an independent republic.

17. The whole sale condemnation of the heroes and founders of the state have greatly wounded the feelings of the people of the Jammu province which indicates that the people of Jammu province in general are looked upon by the party in power with contempt.

18. These circumstances have forced us to approach your

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honour with the request which may look drastic but which is the only alternative now left to us. Leaving out of consideration for the moment those parts of the State which are now under the illegal occupation of Pakistan, the Indian held territory of the State is made up of three distinct regions namely, Jammu, Ladakh and Kashmir valley.

19 The people of each of these region, are a distinct people with a distinct language, culture and history and a definite territory. The Jammu region lies south of the Pir-panchal Range as far as the Cease Fire Line at Suchetgarh, and between Ravi and Jhelum Rivers in the East and West, and includes Doda and Padar areas. This Unit forms the core round which Maharaja Gulab Singh wove the present fabric of Jammu and Kashmir state.

20 We of Jammu claim the right to determine our future ourselves. Had Kashmir valley, the most populous region, held with us the view that the state should accede to India as one of its integral part like other part B states, we need not have made this demand. But now that we find that the state constituent assembly is taking decisions for the entire state in matters of fundamental importance to our future existence which run counter to our declared wishes and are detrimental to our interests and those of India as a Whole, we are constrained to approach you for the protection of our legitimate rights and interests. And whatever may be the views of the other regions of the state about their accession to India being limited only to a certain number of subjects,. We of Jammu province desire that we shall be united and integrated with India in the same manner as other part B states have been We claim that the people of Jammu province hold this view and that if necessary this can be ascertained and verified by any recognised democratic method through an agency independent of the present Kashmir Government. We are glad to note from the speeches of Shri Kaushak Bakola that

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Ladakh holds similar views and demands similar rights for that region. Sheikh Abdullah is also reported to have said in one of his speeches "If Jammu and Ladakh so desire, they can decide to integrate with India and leave Kashmir valley free to have limited accession.

21 Being the descendants of those, who sacrificed their blood and resources to build up this great and integrated state, it was our desire, that the entire state including those parts which are still held by Pakistan should form like other part B states an integral part of the Republic of India to bring about that consolidation we are prepared, like our ancestors willingly and cheerfully to make the greatest sacrifices including that of life to reconquer for India what *rightfully belongs* to her and us. But till that happens, we cannot agree with Sheikh Abdullah that like Kashmir valley, we also should accede to our own *Motherland* with reservations.

22. Permits us in the end to request you to judge us and this our demand as coming from a people, who have always been and shall always remain Indian. That is our greatest pride. Imagine for a moment any other part of India whether in the East, West or South placed in that awkward predicament in which we are and then you will probably agree that the same demand would have been made by the people of that region. As children of India, it is but natural that we should resist any move to keep us away from our Motherland in howsoever a small degree. As it is attempted to keep us substantially out of India, we, therefore, want to make it clear that we shall not accept any such position. We want the entire constitution of India to apply to jammu. We want to have the protection of the Supreme court, we want to enjoy the fundamental rights as all Indians do, we want the same Flag as is allowed to Part B states and not the Red Flag now selected by Sheikh Abdullah and we want to be governed by the laws of the Indian Legislature. That may

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lies the future of Jammu and we feel it our patriotic duty to resist with all the strength at our command attempts from whatever quarter made to thwart the full accession of Jammu with India.

Dated Jammu, the 19th June, 1952.

Yours faithfully,
Prem Nath Dogra
President,
All J&K Praja Parishad Hqs. Jammu. //

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THE INTEGRATIONIST MOVEMENT IN LADAKH

In the east-west boundary of the two regions of the state of Jammu and Kashmir is the third physical unit called the magic land of Ladakh or 'little Tibet[1]- the home of the ancient Bhudhas[2]. Being, once an independent Himalayan Kingdom, which gained the political importance during 15th-16th century and which was annexed by a Dogra general-Zorawar Singh in 1834, Ladakh region embraces an area of 97,000 sq. km and comprised of district of Leh, Kargil and Shardu (now in occupied Kashmir)[3]. It forms the central portion of the valley of great Indus river which takes it source at Mansarover lake in Tibet and traverses the whole frontier province of the Jammu and Kashmir state[4]. Though it is one of the largest districts not only in the state but also in the whole of the Indian sub-continent[5] yet because of its high altitude and highly mountainous and barren character it is sparsely populated[6]. Its people being a mixture of Mangolian and Aryan races, are cheerful, wilful, franks honest in dealing[7] and not quarrelsome unless under narcotic like 'change'[8]. Being majority of them having Buddhist faith and the follower of the Dalai Lama of Tibet the simplicity of Chumsiness are in a measure their chief character[9]. 90% of its inhabitants, out of little over 1,00,000 population live in 250 villages and helmets scattered across the territory. At present Ladakh is divided into five divisions viz. Central ladakh, Rong, Rupsho, Tankse, Nubra and Zanskar and has three administrative divisions known as the tehsils of Kargil, Leh and Zanskar[10].

However, when whole of India rejoiced over its

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independence in 1947, naive Ladakhis believed that it was the beginning of a new era for them too, a dream of being equal respectable partners in the shaping of its own destiny and that of the State of Jammu and Kashmir where it fell. It did not take long to realize that they had only been out of the frying pan into the fire, that rather than becoming free sons of free India's they were left at the mercy and step-motherly treatment of the Kashmir Government[10]. For the kingdom that once enjoyed a distinctive status in the entire Himalayas and its people guided by the Buddha's principles of peace and tolerance, the five decades of independence became fifty years of suffering. A story is of oppression through calculated discriminatory policies towards the region and among different communities within the region[11].

Little attention has, however, been paid to the socio-politico-economic and modernisation of this region by the successive political regimes in Kashmir since the dawn of independence in general and in the first phase of Sheikh Mohammad Abdullah's premiership in particular mostly because of its geographical location and varied physical characteristics. This resulted into the rise of deep seated sense of discontentment, deprivation, offeration, negligence, simmering of unrest, frustration and nursing a feeling of receiving a step motherly treatment at the hands of state authorities among the political elites of the region[12]. Moreover, the new political consciousness had also dawned upon the general masses of the region by and by. The new emerging elites of Ladakh, therefore, started feeling concern about the socio-economic backwardness of their people.

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However, in a memorandum submitted to the state Prime Minister Sheikh mohammad Abdullah in 1953, Kushak Bakula, head Lama of Ladakh and the member of the consembly of kashmir, demanded for a statutory provision in the future constitution of Jammu and Kashmir under which state's North-Eastern Frontier province of Ladakh covering Sinkiang and Western Tibet, would become a federating unit of Kashmir as long as long the accession of the state to India endured. He urged that a separate legislative assembly of 15 members, with an Executive Council responsible to it, should be set up for Ladakh to run the internal administration of the era. He further pointed out that under the proposal Ladakh would largely bear the same relation to the J&K state as the latter did to India[14]. But nothing was done in this direction. Kaushak Bakula not only demanded an effective say in the state's politics and administrations but also declared that they would join Tibet in the event of the centre agreeing to Sheikh Abdullah demand for greater autonomy to the J&K State within the Indian union.[15]

He also met Pt. Jawaher Lal as back as in 1952[16] and apprised him not only the bad economic situation in ladakh but acquainted him with Sheikh Abdullah's attitude and indifference towards the needs and urges of the Ladakhis. But the government of India advised Kushak bakula to adopt a policy of 'wait and watch'. Nothing substantial was therefore, done to improve the condition in Ladakh.

Even after the dismissal of Sheikh Abdullah from power in August 1953, Ladakh did not receive as much as attention as it needed. Kushak Bakula did meet G.M.Bakshi, the successor of Sheikh Abdullah as Prime Minister of the

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state in 1953 and submitted to him a memorandum containing concrete suggestions for improvement of educational, economic and social conditions of the region[17 ~~16~~]. Though G.M.Bakshi introduced a number of measures for economic development of the regions yet these could not satisfy the urges of the people. Kushak Bakula rather then charged G.M.Bakshi and his party to be more prone towards the Muslim population than towards the Buddhists[18 ~~17~~]. While speaking in the State Legislature on October 5,1953 G.M.Bakshi endorsed the views of Kushak bakula that Ladakh was backward area. He even agreed that all demands voiced on behalf of the people of that area were not heeded by the previous government and assured the people of Ladakh of a fair deal in the then new set up which would help to ease tension in the sensitive and neglected region of the state[19 18].

In November, 1953 Kushok Bakula was inducted into State council of Ministers as a Deputy Minister in charge of Ladakh Affairs[20 ~~16~~]. An expenditure of Rs. 86,65 lakhs was made on development of backward areas during second plan period, (1956-61). During the Third Plan period (1961-66) a part of which covered the G.M. Bakashi period Rs. 147.44 lakhs were spent on its development. Under Non Plan Rs. 934.44 lakhs were spent on transport and communication and Rs. 142 Lakhs on ladakh development[21 17]. During later period G.M.Bakshi's Prime Ministership, the Muslims of the region supported him where as Buddhists desired a change of government. The congenial atmosphere of the region, therefore, got vitiated with communal overtones. Even Kaushak bakula was seriously thinking to resign from the Council of Minister[22 18].

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Kaushak Bakula in his letter to pt. Nehru dated 15th September, 1962 voiced the following grievances against the then state government:-

a. the state government did not appear sympathetic to Buddhist population and appreciated their genuine difficulties.

b. there was no planned economic programmes for Ladakh.

c. the Ladakhis demand for greater economic aid and was being ignored.

d. his advice for solution of the reasonable demands of Ladakh were not honoured

e. the state government had politicised the atmosphere in the region by drawing aline between Buddhists and non-Buddhists.

The relation between Kaushak bakula and G.M.Bakshi got further strained during Chinese aggression in 1962. In his letter to Pt. Nehru dated February 10,1963, he pointed out that the state authorities continued to adopt an apathetic posture towards legitimate demands of people of the region. He also met Shri lal Bahadur Shastri, the new Prime Minister of India and successor of Pt. Nehru and apprised him of the problems confronted by the Ladakhis the result of these meeting he was once again inducted in Mr. G.M.Sadiq's council of Ministers as a Minister of State for Ladakh Affairs, Health and Local Self Government on July 26,1964.

In October, 1964 Mr. Kaushak Bakula resigned from the ministership because of emerging differences with the then Chief Minister. He alleged that no action had been taken on the important matters about Ladakh referred by

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him to the Chief Minister. In other words Ladakh problems were not taken note of. He even wrote to the then prime Minister of India that the law and order and economic conditions in ladakh were deteriorating because of the posting of unsympathetic officials from the valley. He then began to advocate not only for the protection of separate identity of Ladakh, its political status but it should be brought under the direct control of centre. His contention for Ladakh's separate identity was based on:-

a. that the local Government in that region mostly manned by Muslims biased towards the non Muslims;

b. that the State Government always remained indifferent to ladakh and its problems;

c. that there was no rule of law governing ladakh;

d. that Ladakhi's redress lay with the Government of India, not with the state Government;

e. that both the governments headed by Bakshi Ghulam Mohammad and G.M.Sadiq failed in their attempts to meet the representatives of the people of Ladakh;

f. that Ladakh's borders needed greater attention; and

g. that for the Government of India to acquire a firm foothold in Ladakh and take a greater interest in its administration and local politics was a political need because the state had so far been the virtual preserve of a few individuals and, in order to alter this position, the Centre had to make its presence felt in the state. Besides, the Centre had a moral responsibility to ensure a clean and efficient administration free from corruption both in political and economic spheres in that region."

It was quite surprising that Kushak Bakula, a Buddhist

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votary of non-violence by faith and religion threatened to launch an agitation, if needed a greater agitation, against the Government of Jammu and Kashmir which had been ignoring the deteriorating conditions in his region.[28]

An organised struggle against the Kashmiri domination was also launched in ladakh in 1964. The Ladakh leadership then demanded a NEFA type central administration.[29] The communal trouble again raised its ugly head when Buddhists supported the demand for the settlement of Tibetan refugees in Ladakh district. But the Muslim Action Committee vehemently opposed it as it feared that such a move would upset the ethnic balance in the region.[30] The Buddhists, on the other hand, also feared that they would be reduced to minority because of the increasing incidents of conversion of Buddhist girls to Islam on the encouragement of Anjuman-i-Islam which was providing the Muslim youngmen money to lure Buddhists girls to embrace Islam.[31]

As a result cordiality between both communities of the region- Buddhists and the Muslims no longer existed and one started doubting the bonafides of the other. The fire was ignited when the news of an alleged desecration of the Buddhist flag by the members of other community in Saboo village floated into the air.

However, in November, 1965 Dr. Karan Singh proposed a fresh scheme to resolve the regional tensions in the State. He proposed to divide state into a separate Kashmiri speaking state, by creating a greater Himachal Pradesh after Jammu region was made a part of it and by making Ladakh a unit under direct central rule.[32] Although this scheme could not find favour either with Congress (I) or

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by Janasangh as well as of Muslim population of the state, yet it was welcomed by the Buddhist population of Ladakh and Kaushak Bakula. It once again raised the demand for central control over the region.[33] Mr. Sonam Wangyal, MLC also voiced the unhappiness of Ladakhis at a Press conference in New Delhi on April 6,1965 and said that even after 17 years of independence and an investment of over Rs. four crores by Central Govt.Ladakh could just boost of a road that linked Srinagar to leh and a few bridges.[34] He also complained that the state Government did not take enough interest in the development of Ladakh and demanded an inquiry from central Govt.[35] He added that the people of Ladakh continued to be unhappy with the State Government and its policy towards them was one of neglect and apathy.[36]

Meanwhile, the Leh Congress Committee in a resolution of May, 1966, demanded that Leh should be accorded the status of a scheduled tribe area. The party adopted various strategies to achieve their new demand, and pressure and protest tactics to be used by them.

Kushak Bakula, who became M.P. in general election of 1967 from Ladakh even threatened that if development of Ladakh continued to be neglected the people might launch an agitation to break away from the State and seek direct central administration for the region.[37]

The District National Congress Ladakh had also submitted a memorandum to the Government of India in the same year seeking NEFA type administration for Ladakh.[38] Its President Kushak Bakula M.P. in a Press Conference in Delhi on Sept. 14, 1967 said that the Ladakhis were tired of the discrimination practised against them by the Government of Jammu and Kashmir and therefore wanted "this region to

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these as Sonam Norbu and his group did not favour NEFA type of administration for Ladakh because it was also not free from isolations and tensions.[40] They also condemned Kushak Bakula for his policies. Thiksey Monastary - Head Lama, Kushak Thiksey and a few others disapproved even Kushak Bakula's demand for a centrally administered Ladakh because it would lead to dismemberment of the whole of the state with far reaching consequences.[41] Even G.M. Sadiq - the chief Minister of the state declared that "Any attempt to pursue such separatist ideas[42] would be firmly scotched." He also ruled out any possibility of central intervention in the matter[43]."

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The most crucial phase of the Buddhist agitation was witnessed in June 1969 whose origin could be traced out to a family feud over property between a Buddhist brother and his muslim sisters, ~~in April 1969~~ living in the same house, in April 1969[44]. This dispute came in law light on April 15, 1969 when the Buddhists revelled an allegation ~~That~~ that their prayer flag atop of a hut was removed an trampled upon[45], which ~~was denied by the muslim Action Committee~~ was repeated by denied.

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be brought under the central administration. He further added that establishment of NEFA type administration would enable them to develop side by side with the rest of the State. He alleged that despite repeated representation and discussion with the state for the last two decades, the conditions of the people had not improved.

A Ladakh movement under the banner of the Buddhist Action Committee was, therefore, launched in May, 1969. But the Muslim Action Committee was of the view that it was a petty family feud between Buddhist brother and his Muslim sister which was inflated out of proportion. Even Thiksey Monastery head Lama Nawag Chanba Stanze-also confirmed it when he said that a petty family feud over an ancestral property between a Buddhist brother and a Muslim sister became the pretext for starting the agitation by interested persons who had gone to the extent of saying that genocide was being perpetrated against Buddhists.This movement therefore, generated communal tensions in the region where communalism was quiet unknown till then. The movement was, however, suspended because of death of Dr. Zakir Hussian-the then president of India. The character of the movement had then changed from merely a religious affair into political somersault which was evident from the four pages memorandum submitted by Ladakh Buddhists Association to the then Prime Minister of India. The demands were:

1. Permission to construct a Sarai for the Buddhist transit passing through Kargil.

2. Proper representation to Buddhists in the State servicess

3. Recognition of Bodh language

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4. Rehabilitation of Buddhists Tibetan refugees in ladakh and

5. Inclusion of a Ladakhi in the Cabinet.

Kushak Bakula, on the other hand, gave a threat of launching a mass movement and the Buddhists would resort to self immolation if their long standing grievances would nor be redressed till May 21,1969.

Kaushak Bakula while addressing a public meeting in New Delhi, which was also addressed by a few other leaders of various political parties welcomed the induction of Mr. Sonam Wangal in State Council of Ministers and said things in Ladakh would not have worsened had Buddhists been given proper representation in State Cabinet[50]. Mr. Shashi Bhushan , MP submitted that nothing had been done till then on the educational and economic fronts in Ladakh. Mr. M.L.Sondhi warned that his party would launch an agitation in case the problems of the people of the regions were not solved Mr. Mahraj Singh Bharti, Chairman of the meeting, also emphasised the need for removing the economic, social and political imbalances in Ladakh.[51]

In a memorandum submitted to Prime Minister of India, the following ten demands were listed:[52]

1. Union territory status for Ladakh districts
2. Recognition of the Bodhi language
3. To declare Ladakhis as people belonging to Scheduled Tribes
4. Settlement of the Tibetan refugees in the district of Ladakh
5. To permit Buddhists to construct a monastery in Kargil
6. To order an investigation into the desecration of

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Buddhists religious flag in a village in ladakh allegedly by members of other community.

7. To provide greater and better employment opportunities for Ladakhis

8. To stop forcible conversion of Buddhists

9. To implement the Gajendragadkar Commission recommendations pertaining to Ladakh and

10. To give proper representation to Ladakh in the State Council of Ministers.

Meanwhile Syed Mir Qasim was sworn in as the new Chief Minister of the State on December 12,1971. The leadership of Ladakh was not sure whether he would adopt a pragmatic policy for the development of the region.

Once again a movement was launched in 1974 for the grant of NEFA type cultural administration status for Leh. Kaushak Bakula, once again raised the issue of Ladakh's backwardness and its slow pace of development in Lok Sabha during the discussion on the motion on separate Development Central Services for Backward Areas on August 16 and 23,1972 Mr. D.P.Dhar the then Planning Minister of the State in a letter assured him that due care would be taken for the development of the region during Fifth Five Year Plan. While presiding over the meeting of Ladakh Development Committee on June 4,1973, Chief Minister announced a government proposal to train the Ladakhi boys for government job and pointed out that the Development Schemes of Ladakh needed to be reformulated as to ensure improvement in its economy with an immediate impact on the life of its people.[53]

As the Ladakh development schemes were never vigorously implemented, Ladakhi youngmen became restive and thought

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of launching a protest movement against the then government. The frustrated youth, particularly educated unemployed, decided to launch a movement under the leadership of Lama Lobzang, Secretary Ladakh Buddhist Vihara, Delhi for Union Territory Status for Ladakh. Lama Lobzang also expressed the same intention in a press statement on June 25,1973. He also pleaded that ladakh should be declared a backward Area and its people be given the Scheduled Tribes Status. He also accused the State government for non implementation of the recommendations of the Gajendragadkar Commission regarding Ladakh.

This demand had, however, been opposed by an official delegation from kashmir to Delhi[54]. The delegation was of the view that demand for Union Territory status for Ladakh would simply mean its separation from J&K State[55]. But Kaushak Bakula, on the other hand, charged that the official delegation had given a prejudiced and one sided view of the situation.

Sensing trouble in the region, Mir Qasim undertook an official tour of Ladakh in September, 1973, and assured the people of the region that government would consider their problems and grievances sympathetically[56]. On his way from kargil to Leh, Chief Minister, was greeted with black flags, demonstration, pelting of stones, shouting of anti government slogan etc. Several arrests were also made[57]. In spite of all this Chief Minister announced an allocation of Rs. 18 crores for the development of the region[58]. While addressing Ladakh Development committee on October 1,1973 Mir Qasim declared that his government could not allow the pace of development in the region to suffer for want of funds[59]. During his period light irrigation and

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schemes were also under execution, road conditions improved and a scheme for opening two colleges and a secondary school was also in hand.[60]

In between the State Government appointed with much fanfare a few commissions viz. Gajendragadkar Commission in 1967 and the Sikri Commission in 1979 to investigate the charges of regional imbalances Both these commissions acknowledged Ladakh's unjust share in the state's politico-administrative and economic set up and recommended a few measures to rectify some of the injustices and wrongs.[61] But the state government did not concede their recommendations. In stead it disturbed the social equilibrium of Ladakh in 1979[62] by dividing it into Leh and Kargil districts on pure communal lines. This bifurcation of the region into two separate districts led, among other things, to the existence of intra-regional irritations and tensions which further posed problems in evolving a viable cohesive solution to the future of the region.[63]

Once again in 1982 a movement demanding autonomy for Ladakh was launched under the leadership of Lama Lobzang, Mr. Thupstan Chewang and Mr. P.Mangyal.

The Ladakhi Political Elites, however, alleged that their complaints and mostly centred on the jingoism of the leaders from the valley and their systematic acts of discrimination against the masses of the region. A violent struggle was launched by the Ladakh Buddhists Association on October 15,1989.[64] Its main slogan was to liberate Ladakh from kashmir and for Union territory status. Mr. Namgyal - The President , Ladakh Buddhist Student Association-while supporting the movement for Union Territory Status for Ladakh, highlighted the extend of discrimination,

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oppression and the negligence the Ladakhis were subjected. He said that "Ladakh stands the fear of being colonised by the Kashmiris and its identity and culture overwhelmed by Islamic influence. Moreover, assured of protection of their identity under Article 370 of Indian constitution the Kashmiris trained their eyes on the minuscule Buddhist population for assimilating them in Islamic fold.[65] Therefore, there was a threat to their identity and cultural heritage. He further added that the standard of education in the region had reached the lowest convenable level and because of absence of a degree college most of the students drop out of their parents could not afford to send their wards outside Ladakh for higher studies. Consequently, vacancies in the government were filled by recruiting outsiders. He summed up the discrimination against Ladakh in economic and development plans in the following points:[66]

1. The Government both at the centre and in the state never made an attempt to use the mighty river Indus for agricultural and hydro power generation power.

2. The irrigational and hydro-power generation projects taken up by government were either abandoned or kept incomplete. The result was that Ladakh still gropes in darkness.

3. The economic policy and planning of the then kashmir government for Ladakh could at best be termed as lackdisical and misplaced priorities, faulty planning and a pale green attitude to implementation of schemes characterised the government's performance.

4. Most of the departments in leh had either not performed at all or performed terribly. Which indicated the calculated designs to keep the region wallowing in

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stagnation and object poverty.

5. The double standard adopted by the then state Govt. for making allotment of plan allocation was guided by their design to deprive Ladakh of its rightful share in the plan funds.

6. Islamisation of Ladakh was taking place in diverse and multitudinous ways.

7. The then government adopted a policy of discrimination and suppression towards the region with the sole objective of stiffling and marginalising its historical, religious and cultural identity. "

While concluding he pointed out that in such a melee it was only a matter of time before their identity perished completely. The situation had, therefore, reached to such an extent that nothing less than complete separation of the region in the form of union Territory would satisfy them.[67] The situation was brought under control only after a Tripartite Agreement among the representatives of Ladakh Buddhists Association, the State and the Central Governments signed at Leh on october 29,1989 in the presence of the then Union Home Minister, Mr. Buta Singh. Under this agreement Leh was to have an Autonomous Hill Council

Actually, the two rounds of talks which the National Conference-congress(I) coalition government had with ladakh Buddhists Association on the issue before its dismissal on January 19,1990 was an exercise in futility. Moreover, the dilly-dallying attitude of the state government towards this matter once again compelled the Buddhists to give a threat for resumption of their suspended agitation. The talks were held again on November 19,1991 at Jammu which remained inconclusive. The Tripartite Talks were, however,

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resumed on May 20,1992 in which the leader of LBA, Congress (I), LMA, Muslim leaders from Kargil, the state Government officials and those of the central government participated, besides the Home Minister. Although leaders from Kargil expressed their willingness for an Autonomous Hill council for their district yet for fear of the terrorists of the valley, they suggested post ponement of the implementation of the proposal till Kashmir issue was resolved.

The Ladakh Buddhists Association had, therefore, rescinded the demand for Union Territory status in favour of an Autonomous Hill Council, it had contemplated an autonomous hill council for Leh. But the political trouble in the valley and the National Conference and Congress (I) leaders of Kashmir region not only impended the implementation of the agreement but also thwarted the whole process.[68]

By that time the masses of the region had understood the dangerous game of the valley based National Conference and Congress (I) leadership sponsored politico-communal hartal that had blooded and convulsed the peaceful, highly sensitive and strategic region of Ladakh. The people in Kargil, by then were convinced that the problems of their district were the same as those of Leh and the masses of the two districts should take their future in their own hands. In a wise move, therefore, both Mr. Thupstan Cheewang's Ladakh Muslim Association (LMA) and Mr. Akbar Ladakhi's Ladakh Muslim Association (LMA) agreed in 1992 to end the communal rift and lifted the social boycott existing between the two since 1989,[69] and to unite. With the restoration of unity, the Ladakh movement took on a

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new dimension. A joint co-ordination committee was formed to press the demand for an autonomous hill council. The coordination committee, therefore not only geared up to start a new agitation, but had also given an ultimatum to the centre to settle the Leh issue by October 15, 1993 or face a violent and uncontrollable movement.[71]

The resolution of the Ladakhis to revive the agitation was the immediate fallout of the centre's failure to honour, its solemn commitment that a Bill granting Autonomous Hill Council to Leh would be introduced in the Monsoon session of Parliament in August, 1993. This was not for the first time that Union Government had undermined its credibility by deferring its decision on the constitution of an autonomous hill council for Leh at the behest of the Kashmiri leadership. The Kashmiri leaders however, argued that the grant of autonomy to Ladakh would hurt the Kashmiri psyche and would prove detrimental to the interest of the trouble torn people of the valley. The same did the central Government in August 1990 and in April 1992, but the Ladakhis then remained cool keeping in view the national interest.[72]

The patience of the non violent and peace loving Ladakhis was, however, erupted with sporadic violence on March 6, 1995[73] when the Ladakh Buddhist Association revived their agitation. It followed by a declaration to boycott the then coming state Assembly Elections.[74] The movement this time was whole heartedly committed to the cause of Autonomous Hill Council status and nothing short of it.[75] As the movement at this time was more vigorous and aggressive in natures, the state Government had to bow to the wishes of the people of the region. After talks and deliberations

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~~However~~, The people of Leh and Kargil districts Then demanded an Autonomous status for Ladakh region with in the state and also for their respective districts with in the region.

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it was agreed to bring the required legislation to this effect by May 5, 1995. This was a day of jubilation and feast among all the people of the region as the final announcement was made on May 15, 1995.

The relations between LAHDC and the new National Conference Government of 1996 (headed by Dr. Farooq Abdullah ere far from cordiality. The LAHDC viewed that the new government too was hostile to the Buddhist of Leh and in particular to the council. As the date of the ratification of LAHDC Act of 1995 by the Jammu and Kashmir legislative Assembly was drawing near, the leaders of the council expressed the fear that the council might be dissolved. Mr. Thupstan Chhewang the Chief Executive councillor of the council said, "The people of Ladakh had started to believe that Dr. Farooq Abdullah's government was engaged in tactics to make the LAHDC defunct". The negotiations were then initiated between the representatives of the state government, and that of the council on the powers of the council. The leaders of the LAHDC had threatened to revive their demand for a Union Territory status for the border reign if the ongoing talks with the state government on the powers of the council failed. The top rung leaders of the council told the J&K New Lines in an interview in Sept. 1997 that "We can always pass a resolution in the council if the Govt. make any attempt to dilute the powers of the elected body".

However, a special session of the Jammu and Kashmir State legislative Assembly was convened from October 3, 1997 for the ratification of the presidential act of 1995 for the LAHDC , which was to lapse on October 9, 1997. The J&K Assembly ultimately passed a bill to provide for the

and the ordinance for Ladakh Autonomous Hill Development Council (Act) was issued by the President of India in May, 1995. Thus, with promulgation of this ordinance, a new chapter had come into force for the tribal people of the region, which meant freedom from the clutches of political-economic centralisation invariably both at the levels of the State and the Centre. The Ladakhis, thus, got free hand to preserve their ethnicity and cultural identity.

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establishment of LAHDC and the inter-district advisory council in ladakh region on october 3,1997. Thus, the Ladakh Autonomous Hill Development council Bill of 1997 would replace a presidential ordinance of 1995 which was made during governor rule in the state.

When the stage was set for the special and stormy session of state assembly for the consideration and passing of the state autonomy committee report of April, 1999 Ladakhis opposed it and decided to observe a black week. Under the aegis of the Ladakh Buddhist Association, the people of the region, pre dominantly Buddhists, held rallies, demonstrations, and dharnas during the week long protest starting from June 19,2000 at Leh and other block head quarters of Nyoma, Durbuk Diskit, Khalsi and Padum. The Ladakhis were apprehensive that the proposed step for greater autonomy for the state or to restore the pre-1953 position would ruin the interest of Ladakhis people who had been clamouring for union territory status for a long time. The people of Leh expressed concerned over the continued apathy of the J&K Govt.. and they had therefore intensified the agitation for union territory status of the region.[86] In short the neglect, discontentment and frustration led Ladakhis on war path for Union territory status and opposed the state autonomy committee report.

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Since India is composed of various communities, these have at one time or another expressed their distinctness deriving genesis from historical, social and religious movements. The feelings of sikhs as a community arted from the day of its establishment but this feeling got impetus only after Britishers annexed Punjab in 1849. They adopted the policy of divide and rule as a result of which started various reform movements such as Singh Sabha Movement and Gurdwara Reform Movement among the sikhs and Arya Samaj and Brahmo Samaj Movements among the Hindus. With the passage of time, these movements took communal colours andestablished the feelings of distinctness between the two major communities in Punjab.

The Akali Dal being a trustee of the Sikhs wants its pre-eminence in the same way as the congress of any otherpolitical party wants for itself. This in effect means gaining power. There is of rourse, no problem about the Akali Dal's quest for political power. Power after all is what politics is all about and the Akalis are very much in the business of politics. The problem arises from the Akali Dal's theo-political ideology. Such an ideology is apparently a logical necessity for a party which depends on the substantial human and material resources of Shiromani Gurdwara Prabhandhak Committee and which uses regious shrines not only for locating its offices but also for launching

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its political campaigns. Inevitably the Akali's claim scriptual sanction for their declared objectives and add an ethnic-communal dimentions even to issues which are essentially political and economic. The Akalis expore the 'miri-piri' and inseparability of religion and politics syndrome. Matters are further complicated by intra-factional exercises in one upmanship which tend to push them into extremist positions, retreat from which is difficult without loss of face. It is not only power in the contemporary political system which the Akali Dal seeks but also the power of popular esteem represented by Shiromani Gurdwara Prabandhak Committee in Punjab. The Akali Dal can retain control over Shiromani Gurdwara Prabandhak Committee only by articulating traditional ethnic political aspirations of the Sikh community. In order to stay in power, the Akali Dal should have majority in Shiromani Gurdwara Prabandhak Committee and to keep this position intact, it has to perpetuate the community forces and insistence on inseparability and indivisibility of religion and politics. ~~And it is this paradox which is mainly responsible for the current cirisis in Punjab.~~ The Akali Dal keeps stressing on the communal polarization so that it remains feasible for it to come to power on its own and keep that support undivided.

The Akali leaders in search of cheap popularity have created hurdles in the process of national integration by exploiting religious institutions for their personal benefits. In such circumstances,

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the leaders of other parties, particularly the ruling party, also dis not play a positive role. Rather they tried to fish in the troubled waters. Had there been an earnest follow-up to solve the problems by the leaders of other parties including ruling party, things would have been quite different. But then, they have their own axes to grind. The leaders of all shades and opinion are not averse to exploiting the emotions of communities in all matters relating to their own interests.

Apparently the limitations of Akali leadership emanate from a close link between religion and politics. Such a link tends to circumscribe its growth and hampers it in winning the support of non-sikh punjabis, on the other hand, there is always the danger as it is now amply clear, of any sikh leaders arousing the religious sentiments of sikhs. A religion-based party such as Akali Dal has inherent strength and weakness, its strength lies in the cohesiveness and easy mobility of its followers, but its weakness is that its support base does not expand and gets fossilised. In a situation of crisis, such a political organisation finds it extremely difficult to enlist sympathy beyond its support base to remain effective. And in such situations the Akali Dal has exploited the religious sentiments of the masses. Since the Akali Dal draws its legitimacy and strength from its championship of the community interest, its symbolic relationship with Shiromani Gurdwara Prabandhak Committee and its past-heritage of having been the

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exclusive fighting arm of the community have been exploited by the leadership.

All political agitations are given the name of 'dharm yudh' and Panthic unity appeals are made even when the economic issues are involved. In addition to it, the factional character of Akali Dal and the vying of each faction to acknowledge mass support by exploiting the religious sentiments has resulted in the present crisis in Punjab. Though for the rise of fundamentalists and extremists forces, the Akali Dal alone cannot be held responsible, yet the policies and programmes adopted by it have provided shelter to these forces implicitly or explicitly which is posing a serious threat to the unity and integrity of the Indian state. The Akalis, at first, found these forces useful in their tug of war with the ruling party, which has adopted the policy of drift and did not want to accommodate their demands, without realising that ultimately they too would become prisoners of their terror tactics.

Sikhism - Genesis & evolution; ORIGIN OF Sikhism

Sikhism was founded by Guru Nanak in the back-drop of the fifteenth century conditions in Punjab Beginning as a reformist cult with a popular appeal among the oppressed starta of society it developed into a forceful political movement challenging the legitimacy of the Moghul empire. In the course of this transformation it generated some characteristic symbols, norms and mass attitudes towards the sister communities and the political regime. Thus the sikh

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community acquired a network of distinct religio-political values and traditions which may be termed as the sikh political culture.

One of the most pertinent features of the sikh political culture has been a consciously felt minority psychosis giving rise to an unmitigated concern for the consolidating of the panth. The genesis of this apprehension may be traced back to the initial stages of growth of this religion. In expounding the tenets of Sikhism, Guru Nanak had attacked the established belief and practices of Hinduism and Islam, the dominant creeds of the time. Rjecting the Hindu concept of polytheism and their faith in idolatory, ritualism and scripturalism, he upheld the unity of Godhead. Denouning the excessive formalism in Islam, he preached that devotion to the name of God was the only alternative to achieve communion with Him. He urged upon the necessity of a true guide to help the devotees in this process. He processed to offer a genuine solution to the problem of human salvation and was recognised as a true Guru by his followers.

On the social plane, Guru Nanak championed the cause of an egalitarian society as against the hierarchical structure of the Hindu community. He severally denounced the caste oppression and the economic exploitation which were so rampant in the feudal society of medieval India. Idehtifying himself ~~which~~ with the lowliest of the lowly, he addressed to the oppressed strata of the society like the peasants,

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the small traders and the craftsmen. To minimize the communication gap between himself and the massess, he delivered his message through the dialiects of the people. Thus in view of the overall compulsions of his age, he sought to reify the society of his designs by mobilizing the masses through the idiom of religion. To make an actual beginning in this direction he initiated the egalitarian practices of Sangat (i.e. religious congregations, Langar (i.e. free community kitchen) and Pangat (i.e. unstratified arrangement of seating. He also institutionalized his office to consolidate his achievements after his death.

However, the galore and esteem associated with the pontificate aroused sectarian tendencies in the Panth after the first Guru. Numerous pretneders to the office of the Guru threatened to dissolve the identity of the Sikh community into the wide ocean of Hinduism from where it had precipitated. On the other hand, the expansion of the Panth was becoming a difficult task in view of a strong opposition from the elitist sections of the Hindus. The latter did not tolerate any erosion of their influence by conversions from their community, the only area open for proliferation to the former. With hostile forces around the Sikhs became apprehensive about the security of their religious identity.

Nevertheless, the feeling of insecurity implying a conscious impression of the dearth of numbers has pervaded the entire subsequent history

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of the sikhs as a cardinal thread of their culture. It was displayed in prominent relief in the eighteenth century when the whole sikh community was threatened with physical liquidation by the Moughal regime. The factors like vigorous attempts at consolidation of the Sikh community by the first five Gurus added yet another trait to the Sikh political culture. A rising sikh sect with a distinct centre of loyalty and a parallel ~~x~~ revenue administration, visulalized the prospect of a formidably challenge to the imperial authority in India. The apprehensive Moughals sought to curb the growth of this community by repression culminating in the execution of Arjan Dev, the fifth Guru. To improvise against the official onslaught, the Sikhs reoslved to militarise their sect. The various secular traditions introduced by Hargobind, the Sixth Guru, particularly his wearing of the two swords symbolizing Miri (wordly power) and piri (spiritual authority), establishment of the Akal Takhat (timeless throne) and raising of a militia of the Sikh volunteers, were the important steps taken in this direction. The martial innovations introduced by him were facilitated to agreat extent by an earlier entry of the Jat tribes inthe Sikh community.

Establishment of Khalsa

The task of militarization initiated by the Sixth Guru became an established paractice of the sikh political culture when Gobind Singh, the Tenth Guru of the sikhs, baptized a militant band, called the Khalsa (the pure) and gave it warlike symbols. This band expanded into a larger brotherhood and joined the Guru in a number of military actions against the Moughals. The entire subsequent history of the sikhs,

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particularly up to the middle of the ninteenth century, points to a graudal process of strengthening the martial ethos and political aspirations of the Sikh community. The oft made assertions as to the inseparability of religion and politics in the Sikh faith, the tenacious demand for a political status for the sikhs, the preponderance of the 'Morcha' (entrenchment) strategy for the achievement of community goals, the exaltation of personal sacrifice for the Panthic cause and the attitude are some of the major legacies of this historical process.

The Gurus not only laid the foundation of morality and ethics but gave a new direction to spirituality in the then changing conditions. Full of struggle and sacrifice, their contribution to Indian philosophy and their sustained efforts in bringing about a synthesis among the various religions, in order to satisfy the inner urges of human nature, were ineded remarkable. Ther attempts to secularise the outlook of the people virtually were noble and laudable. It is significant in this connection to mention that Guru Gobind Singh considered 'Hindustan', as mentioned in Adi Granth, as his homeland. The Guru had nowhere used the word "Punjab". In fact he was aware of the distress of the whole country and not merely of the Punjab. Again four of the Guru's Panj Piaras (the five beloved ones) were non-punjabis by caste and origin. ~~Above all in the holy scripture of the sikhs, the Granth Sabid, are~~

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The five beloved ones were: Daya Ram - a Khatri of Lahore, Dharama Dass - A Jat of Delhi, Mohakam Chand - a Washerman of Dwarka, Sahib Chand - a Barber of Bidar and Himmat - a water carrier of Jigannath Puri. Above allthe holy scripture of the sikhs, the Granth sabib, are included hymns from ~~satins~~ Saints coming from different castes and religions. In sum, the entire efforts of the Sikh Gurus was directed in creating a sense of oneness among the masses.

The character of Sikhism ~~underwent~~ as a pacific movement underwent transformation at the hands of thenth Guru, Guru Gibind Singh. It was he who created the Khalsa in 1699. Form this time onwards staunch sikhs were commanded to observe the five symbols that demarcated them from other religious communities. Guru Gobind Singh changed the character of this hitherto pacific movement into a militant one and transformed this religious group into a militant society, sanctified the use of sword and convinced the sikhs that victory was on their side. He also laid down a baptismal ceremony for all sikhs. The new militancy in the sikh community alongwith the elaboration of its outward forms and symbols made for a certain differentation from other communities.

In the mid-eighteenth century the sikhs became a sovereign power with several sikh chiefs ruling over different parts of Punjab. At the beginning of nineteenth century, Ranjit Singh, head of a misl subdued several other sikh chiefs and assumed the title of Maharaja in 1799. In the territories under Ranjit Singh, sikhs occupied majority of top

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positions though other communities were never neglected. Historical and religious places received the favours of Maharaja and considerable value free land was assigned to individual and institutions for religious and charitable purposes. Grants were also assigned to persons engaged in various types of education especially through religious scriptures in vernacular language. This provided a base for the development of tra-ditional , social and religious net-works in traditional Punjabi society.

Punjab under Annexation

The annexation of Punjab by the British in 1849 had exposed its hitherto more or less secluded society to the influence of the revivalist and nationalist movements from the Indian mainland and the liberal ideas from the West. A number of reformist organizations so far active in British India,soon began to extend their operations to this new province. The missionaries of various Christian orders were the first to establish their centres in different towns of Punjab to secure conversions to the respective faiths. These missionaries enjoyed the support of the British officials and vied with one another in their proselyting pursuits. A large number of people including the sikhs from the lower strata of society were readily attracted to embrace Christianity. It-s influence soon began to percolate to the richer sections of this community too. After the conversion of Maharaja Dalip Singh in 1853 many of the aristocratic sikh families accepted it as their creed.

The arrival of the Christian missions in Punjab was followed on its heels by the entry of the Brahmo Samaj and the Arya Samaj. Similar revivalist waves were also noti-ced among the muslims and the sikhs.

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The philosophy of imperialism and colonial exploitation followed by the britishers on the policy of 'divide and rule, ~~the~~ also systematically punctured, fractured ~~the~~ and demolished the emerging structures of nationalism by setting one community against another. They gave marignal concessions to one community and eulogized its historical role at the cost of other community. They wrote books to create an expression that India was a conglomeration of several communities wherein each community has a distinct role of its own. They tried to stress that the ideology of Sikhism was totally different from those of Vedas and Upnishads. Lepel Henry Griffen, a noted British Historian, for instance, postulated that Hinduism has always been hostile to sikhism and even socially the two had been antagonistic. Similarly Sir John Seelay in his book entitled "The Expansion of England" wrote that the notion that India is a nationality rests upon that vulgar error which political science aims at eradicating. ~~This~~ India is not a political name, but only a geographical expression like Europe or Africa. It does not mark the territory of a nation and a language but the territory of many nations and ~~many~~ many languages. The other noted historian, Sir John Strachey in his book entitled "India: Its Administration and Progress" (1888) stressed that the first and the most essential thing to learn about India is that there is not ~~the~~ and never was India or any country of India possessing any sort of unity, no Indian nation, no people of India of which we hear so much. In addition to that, they wrote books to generate the apprehension that Sikhism might disappear altogher and that it is a waning religion

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that will soon belong to history. They also gave their full support to the activities of Singh Sabha Movement and it became clear when the Viceroy stated that, "with Singh Sabha Movement, the Government of India is in hearty sympathy. We appreciate the many admirable qualities of the sikh Nation and it is a pleasure to us to know that we are able to give them a foremost place amongst true and loyal subjects of Her Majesty, the Queen Empress. They even laid down the foundation stones of the Khalsa Schools and Colleges and became the active members of their management Committees. The foundation stone of Khala College at Amritsar was laid down by Lieutenant Governor James Lyall on March 5, 1892. Besides The first Principal of the college was also an Englishman named Dr. D.C.Oman. Even the President of college Management Committee was Chief Justice of Punjab QW.M. Rattigan, another Englishman. The Britishers thus treated the sikhs as distinct and separate community. The Montague-Chelmsford Report (1919) stated that "the sikhs in Punjab were a distinct and important The community, to them therefore, we propose to extend the system of separate electorates.

In addition to it, the advent of British administration and particularly British law courts introduced into Punjab a new conceptualization of land ownership. As a result of it, land began to move into the hands of Hindu commercial classes. They disclosed the 'policy of balance' by favouring the employment of sikhs over Hindus and this intensified communal competition over employment. The Britishers made an informal proposal to the sikhs that if they

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disassociate finally with the Congress, they would be given a decisive political weightage after the British transfer of powers to the people of India. The British Cabinet members are said to have conveyed to Baldev Singh, the sikh representative that "amendments can be made so as to enable the sikhs to have political feet of their own on which they may walk into the current of world history. The Britishers, therefore, were able to make the communities to vote communally, think communally, listen only to communal election speeches, judge the delagates communally, look for constitutional and other reforms only in terms of more relative communal power and express their grievances communally. These policies of the Britishers which aimed at dividing the communities and the increasing political consciousness and response to nationalist upsurge throughout the country resulted in the launching of several reform ovements in Sikhism, such as the Nirankari Movement, Namdari Movement, Singh Sabha Movement and Gurdawara Reform Movement that created an awakening and a desire among the sikhs to reform their shrines and keep their distinctiness intact.

THE NIRANKARI MOVEMENT

The Nirankari Movement headed by Baba Dayal was the first among religious reform movements that kept the spirit of sikhism alive and preached against evils that had slowly crept into the sikh social and religious life. He preached against idolatory, worship of graves, tombs and trees and belief in other complicated Brahmanical rites and ceremonies and exhorted his followers to worship one Nirankar (God).

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This movement is popularly known as Nirankari Movement because its followers believe in one Nirankar who followed sikh ceremonies in birth, death, marriage and other social usages. The movement had very wide impact on the sikh masses.

THE NAMDARI MOVEMENT

The Namdari Movement popularly known as the Kuka movement, made its appearnace next. Started by Bhagat Jawahar Mal and Baba Balak Singh, this movement became a powerful force of religio-political revival among the sikhs under one of the later disciples, Baba Ram Singh. He particuarly enjoined upon his followers to worship one God through prayer and meditation. The moral codes prepared and enforced by him exhorted all his followes to be engaged at all times in the wordhip of God. He also preached against social evils like caste system. The teachings of Baba Ram Singh have had a wide appeal on the sikh masses.

Though Baba Ram Singh's mission was specially marked by teachings of reighteousness, toleration and mercy, yet some of his followers got out of control and in a fit of religious frenzy committed certain excesses like murdering of British officials, which resulted in their clash with the Britishers. Some of his followers who became excited over the killings of cows, murdered the butchers at Amritsar, Raikot and Malerkotla, and were as punishment, blown off from the cannon's mouth. The action of the Britishers against the Kukas created great hatres for British rule in the minds of the sikhs in the Punjab which

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helped prepare the ground for the subsequent religio-political struggle among the sikhs in the form of Singh Sabha, Chief Khalsa Dewan and the Gurdwara Reform Movement.

THE SINGH SABHA MOVEMENT

The Singh Sabha Movement started in 1873 with the purpose to study the original sources of sikhism and to restore it to its pristine purity. As a result of this movement several Singh Sabhas were established, the first among them at Amritsar. Besides this the Khalsa Tract Society and Khala Press were established soon after with the objectives respectively of propogating the tenets of Sikhism and publishing papers, journals and books in Punjabi language.

The major objectives of Singh Sabha Movement were:

(a) Restoration of sikh rituals and elimiation of other religious practices;

(b) Propogation of sikh religion as directed by sikh gurus.

(c) Publication and distribution of Sikh religious literature;

(d) Opening of sikh schools and colleges for the purpose of giving education to youths in sikh tradition and sikh way of life;

(e) Keeping the membership of Singh Sabha open to the sikhs alone and uplifting of Punjabi language;

(f) Reforming and bringing back into sikh fold those who have left Sikhism ; and

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(g) Ensuring the co-operation of highly placed Englishmen in the educational programme of the Sikhs.

The process of reform took the shape of 'de-Hinduising' the sikhs since the trouble with sikhism at that time was its doctrines and institutions had been completely hinduised. Several Sikh educational institutions were established which not only provided education but also served as strongholds of sikhism. The spread od education brought about consciousness among the sikhs and created the feelings of distinctness among them and an era of confrontation started between Hindus and sikhs. To co-ordinate the activities of various Singh Sabhas an organization known as Chief Khalsa Dewas was formed in 1887 at Lahore. The major objectives of Chief Khalsaa Dewar were:

(a) To promote thespiritual,intellectual,moral, social, educational and economic welfare of Khalsa Panth;

(b) To propagate the teachings as embodied in Sri Guru Granth Sahib;

(c) To propagate teaching of Gurbani and to spread knowledge of sikh history and other authentic writings;

(d) To safeguard the political rights of the sikhs:

i) To represent their interests to the government;

ii) To make constitutional efforts for their attainment according to times and conditions;

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iii) To cultivate loyality to the Crown.

The Chief Khalsa Dewan was the firstscoio-religio-political organization among sikhs which included in its programmes not only a sikh way of life and the removal of social, evils but also the voicing of political grievances and injustices to the sikh community. The Chief Khalsa Dewan raised the demand of separate representation, special privileges and safeguards in services and facilities for developing their language and preserving their way of life. It formed an Education Committee and it was this Committee that spearheaded the movement to open educational institutional throughout Punjab. The contribution of Chief Khalsa Dewan lies in the fact that it took the community ahead of the orthodox Sikh Singh faith, strengthened the defences created by the Singh Sabha Movement around the sikh xx identity and made endless efforts to safeguard the political rights of sikhs. The net result of the activities of the Singh Sabhas and the Chief Khalsa Dewas was the establishment of a feeling of distinctness among the sikh community and created resentment among Hindus. These identity movements were superseded by the Gurudwara Reform Movement in the early twenties.

THE GURUDWARA REFORM MOVEMENT

The institution of gurdwara is as old as the Sikh faith and was established by the founder of the faith, Guru Nanak. In order to preach the basic tenets of his faith the unity of God and the brotherhood of mankind and to abolish the existing social distinctions, the Institution of Gurdwara was established. The Gurdwaras are considered to be

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'Schools for the students, centres of spiritual knowledge for the believers, hospitals for the sick, places of food for the hungry, forts of security for the wormen-folk and inns for the travellers.

The Gurdwaras, since very early days, had been managed by the members of the Udasi sect who were highly respected by the sikh masses for their saintly disposition and unimpeachable moral behaviour. It was out of this reverance and partly because of the services rendered by them during the 'dark period' of the sikh history, that they were allowed almost a free hand in the management of the shrines under their control and the nomination of their successors. These Udasi care-takers of the Gurdwaras, who began to be addressed as Mahants in the due course of time, remained quite amenable to the sikh public opinion up to the end of the sikh rule in Punjab. But when the British, after having annexed this state, constructed canals and provided other agricultural facilities here - as a result of which the value of land rose considerably in this province - the Mahants developed a vested interest in the Gurdwara property. Under the new settlement that the British improvised, they got the Gurdwara land transferred in their names with the connivance of the British officials. In this way they became the owners of the Gurdwara assets and adopted an attitude of indifference and irresponsiveness towards the Sangats (sikh congregations).

The acquisition of ownership rights in the Gurdwara estates by the Mahants brought about a considerable change in their living styles. Most of them began to lead luxurious lives. They started marrying themselves (which hitherto was a taboo

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for them) in order to create lines of hereditary succession with an avowed purpose of retaining their hold on the Gurdwara properties. Thise who did not somehow enter into wedlocks, started disposing of these properties in order to lead a life of comfort. Some of them promoted licentiousness within the precincts of the religious shrines and had children from their concubings. They appropriated the offerings made by the devotees as their personal earnings and maintained no accounts of the Gurdwara incomes. They frequently began to abstain themselves from the religious services in the Gurdwaras and delegated such duties to their subordinates who started demanding doles from the devotees. To increase their incomes further they introduced idol-worship in the Gurdwaras which the sikhs considered to be contrary to the basic tents of their faith. By the turn of the century the condition of the sikh church had reached a point where it could be compared with that of the catholic monastries in Europe on theeve of Reformation.

Meanwhile, significant changes were taking place in the socio-economic milieu of this province which, coupled with the mis-management in the Gurdwaras, necessitated the rise of Gurdwara Reform Movement in the early twenties of this century. ~~Before we examine the impact of this movement on the management of the Sikh Gurdwaras, it is necessary to take stock of these changes in order to understand the material conditions responsible for the outburst of this movement.~~

The Gurdwara Reform movement pppularly known as Akali Movement started in early twenties with the

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major objectives of liberating Gurudwaras from the influence of the hereditary Mahants. The other objectives of Gurudwara Reform Movexment were: (a) To bring the sikh religious places under Panthic control and management; to do away with permanent position of Mahants; to utilise the income and property of Gurudwards for the purposesxx for which they were formed; and to practise the sikh religion according to the teachings of Sikh Gurus as prescribed in the Adi Granth.

The reform movements in sikhism starting from the sixties of the ninteenth century, particularly the Singh Sabha Movement and the revolutionary activities thereafter, had brought in a political awakening in the masses and also religious reformation with the natural consequences and desire that their important historical religious places, which were in the hands of the Mahants be brought under the collective control of the community, and their funds utilised for its own benefit. On October 12m 1920 a meeting was called sponsored by the students and Professors of the KhalsaCollege Amritsar and it was here for the first time that speeches were made to take measures to free the Gurudwaras from the control of the Mahants. This was the start of the movement, later known as the Gurudwara Reform Movement or the Akali Movement.

Formation of SGPC & Akali Dal

A convention of the representatives of the sikhs was again called on November 15, 1920 and it resolved to constitute a Committee of 175 members with powers to control all the sikh shrines in Punjabeand else where. This body was named as Shiromani Gurdwara Prabndhak Committee. It held its first meeting

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on December 12, 1920 at the Akal Takht. To days later on December 14, 1920, a central organization of the Akali Jathas, knowns as Shiromani Akali Dal was set up to aid and assist the SGPC in the take over and administration of the Gurdwaras. Immediately after its formation, the SGPC appointed a sub-committee to prepare rules and regulations for the management of the Darbar Sahib and to draft a constitution for itself. After the new consitutiona was adopted, fresh elections to this body were held in July 1921 and the first popularly elected SGPC came into existence in August that year.

According to the new SGPC constitution four-fifths of its members were to be elected by direct vote by the sikhs in Punjab and outside. The remaining were to be returned from territorial constituncies carved out on the basis of the strength of the sikh population and importance of the sikhs residing there. The sikhs states were also given representation on this body from where one fourth of the memebrs were to be nominated by their sikhs Maharajas. Every baptised sikh who had attained the age of twenty one and observed the elementary rules of sikh conduct was given the right to vote. After the adopting the constitution the SGPC got itself registered as a corporate.

The most challenging task before the SGPC from the very beginning was to achieve autonomy in the matter of control and administration of the Sikh Gurdwaras. It implied on the one hand the ejection of the Mahants from the occupation of these shrines and on the other ~~xxxxxxxxx~~ the removal of Governmental

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encumberances on the Gurdwara management. Thus the imperatives of these twin goals brought the SGPC in confrontation with the Government as well as the Mahants. In order to realize the first dimension of its goal of autonomy, the SGPC sent Akali Jathas to different historical Gurdwaras of the province to liberate them from the possession of the Mahants. A number of the Mahants surrendered their Gudwaras to the Akalis and agreed to serve as employees of the SGPC. But the Mahanta of Janam Asthan (Nankana Sahib) did not hand over their possessions to the Akalis; they rather offered resistance to them. In these cases the Akalis launched Morchas to achieve their objective. The Akali Jathas, which remained thoroughly non-violent in these Morchas, suffered great physical violence and casualties from the Mahants and their supporters. The heaviest toll of life was suffered by them at Nankana Sahib where 130 sikhs were killed and burnt by Mahant Narain Dass on 20 February 1921. A Jatha of 550 sikhs under the leadership of Bhai Lachman Singh went inside the Gurdwara, Nankana Sahib to pay its respects. It was a Gurupurb Day, the birth anniversary of Guru Har Rai. The Mahanat in control of the Gurdwara directed his men to attach the peaceful Jatha. Many were burnt alive by the hirelings of the Mahant and some were thrown in a boiling oil cauldron. This tragedy flared the already smouldering embers of sikh discontent at the attitude of the rulers and the Mahant. It was thereafter that the Gurdwara Reform Movement got intensified.

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The second aspect of the autonomy goal of the SGPC pertained to the clearance of the Gurdwara management of the vestiges of the Governmental influence. Although this apex body had come into existence in October, 1920, and had afterwards acquired a representative status too, yet the government was reluctant to transfer the complete charge of the Darbar Sahib, Amritsar to it. The keys of the Golden Temple treasury were still in the custody of the governemtn appointed Sarbrah(in-charge) of the shrine who contined to hold that position effectively. The diarchic features of the Darbar Sahib administration began to be considered as anomalous by the Sikhs particularly after this popular elections of the SGPC in July 1921. On 29th October 1921 the executive committee of the SGPC passed a resolution that the keys of the Golden Temple treasury ~~xxxxxxxx~~ be transferred to the custody of the SGPC president from that of the ~~xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx~~ Sarbrah. Consequent upon this resolution the Deputy Commissioner of Amritsar took away the keys from the Sarbrah. He also issued a statement that the SGPC was not a representative body of the sikhs and added that the keys would be handed over to a more representative organization as and when sikhs constituted it. In a sudden move he also removed Sunder Singh Ramgarhia from the office of the Sarbrah and appointed a more loyal person, Captain Bahadur Singh in his place. This action of the government sent a wave of sharp reaction among the sikhs. In order to assuage their agitated feelings the government started holding public meetings particularly in the rural areaswherein offered justification for their action. The Akali leaders also began

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organising their own meetings in order to counter the propaganda of the government. In the wake of the conflicting situation that followed all the prominent Akali leaders were arrested by the government under the Seditious Meetings Act. At this the SGPC called upon all the sikhs to hold Diwans on the occasion of the martyrdom day of Guru Tegh Bahadur and to enlighten the masses about the British repression. In a subsequent meeting it also resolved to boycott the visit of the Prince of Wales to India. This step of the AGPC led to the arrest of akali leaders, many of whom were later on sentenced to various sterms of imprisonment. The Akalis in this agitation won the sympathies of the native presxs and the congress leadership. The solidarity and popularity of the Akali Morcha baffled the government. Sensing that it was loosing its hold on the situation the government declared unconditional relase of the akili prisoners and handed over the keys of the Darbar Sahib to Kharak Singh, the then President of the SGPC, on January 19, 1922. At the same time, it also accorded recognition ot the SGPC and entrusted the administration of the shrine to this committee.

The SGPC's struggle for supremacy over the Gurdwaras, however, reached its zenith in the morchas of the Guru Ka Bagh and Jaitu. The former was launched against the recalcitant Mahant of the Guru Ka Bagh Gurdwara who refused to hand over the complete charge of the shrinex to the SGPC., and to cut fuel wood. The authorities also tried to retrieve their lost prestige by teaching a lession to akalis. The offensive was taken by arresting some xxxxx of the akalis on the charge of cutting wood fromthe dry kikar trees in the land attached to Gurudwara Guru Ka Bagh. To justify their

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action, the British officials appreached the Mahant to lodge a formal complain that the sikhxxxxx akalis were stealing tree wood from his land. Arrest of of the reformers led to another powerful morcha at Guru-Ka-Bagh in which the akalis faced toughest opposition from the official machinery. Not only those cutting wood for use in the community kitched were mercilessly beated by the Police and food and medical aid denied to them, they were also arrested and put behand the bars. More than 1300 x reformers were seriously injured and total arrests had reached 5005 without any possibllity of settlement. Ultimately, Sri Ganga Ram took over the garden on lease from Mahant Sunder Bass, and allowed the sikh xxx reformers to cut fuel wood, thus ending the struggle by conceeding the rights to the sikhs. This xxxxxx happened on October 13, 1922.xx

The Britishers believed that Maharaja Ripudaman Singh of Nabha had been giving secret help in the Gurdwara Reform Movement. He was removed from the thrown under the oders of the government of India on July 9, 1923, obviously for this reason, though his differences with Maharaja of Patiala were announced officially to be the case. This led to the Shiromani Akali Dal taking up his cause and calling upon the x people of Punjab to observe September 9, 1923 as 'Nabha Day' by observing a hartal throughout the province and taking out a protest procession to rouse public opinion. This made the authorities consider it a serious fefiance and 60 members of the Shiromani Gurudwara Prabandhak Committee were arrested on October 12, 1923 and the Shiromani Akali Dal and also the unofficial body of the 175 members elected SGPC were declared illegal organisations

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were delcared illegal organisations. The Akalis declared that they would resist the illegal order, and in furtherance of the object Akhand Path i.e. continued recitation of Sri Guru Granth Sahib was started at Jaito within the jurdiction of Nabha State. Thecontined recitation of Sri Guru Granth Sahib was interfered with under the orders of the British Resident at Nabha, which gave a start to another movement known as Jaito Morcha sponsored by Shrimani Akali Dal. The Jathas started going to Jaito to continue the Akhand Path that had been disturbed. The police resorted to firing on the first Jatha, under the order of the Resident, killing 50 reformers. This led to a declaration by the Shiromani Akali Dal that Jathas would move every day to hold the Akhand Path and face firing and court arrests. This continued for some time and the authorities had ultimately to give way, and the Akhand Path Bhog Ceremony was duly performed and the Jathas wer e allowed free access to the Gurdwaras.

All through the Akali Movement a dialogue had been going on between the government and SGPC for a legislative solution of the Gudwara problem. In fact the latter had been impressing upon the former for an appropriate enactment in order to legalise its possession of the Guddwaras taken over from the Mahants. The government and the Hindu lobby on the other hand had been trying to protect the interest of the Mahants. An earlier bill that the government had drafted and circulated for public opinion in 1921 did not meet the aspirations of the SGPC because

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it neither recognised the SGPC nor its control over the sikh shrines. Thus, with a view to opposing that proposed measure, the SGPC initiated a constitutional struggle which lasted till 1925. The ever growing magnitude of the Akali agitation, combined with the compulsions of the Jaitu morcha, however, obliged the Government to revise its attitude otwards the Akalis and it withdrew the old bill. A fresh move was initiated to draft a new legislation with the cooperation of the sikh members of the Punjab Legislative Council. After the SGPC had approved it, the bill was enacted as the Sikh Gurdwaras Act 1925. The immediate purpose of the Act, which was brought on the statute book on 28th July 1925, was to provde for better administration of certain sikh Gurdwaras and for inquiries into matters and settlement of disputes connected therewith. The Act contained two Schedules on enlisting the bana fide Gurdwaras of the sikhs and the other enumerating the shrines of the Udasi and the Nirmala sects. It further provided that any fifty sikhs could pray for declaring and shrine to be a sikh Gurdwara by government notification. Such Gurdwara were to be known as Notified sikh Gurdwaras.

The formation of Shrimani Gurdwara Parbandhak Committee and the Akali Dal acted as singlemost important event in the institutionalization of sikh politics. These two organizations ultimately emerged as the primary institutional expressions of political consciousness and identity of sikhs. The Akalis began to look upon themselves as the sole representative of the sikh community. They started demanding a

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separate area for them and tried their best to generate and keep alive the feeling that sikhs were a distinct community. The importance of these demands lay in the particular doctrines that are advanced for their achievement, more especially that the sikhs constitute a separate political entity, that religion and politics are inseparable that they would act as a single group in politics that they can be either ruler or rebel and that without political power, religion cannot be protected. The Akali Dal, therefore, has been successfuly in generating the maintaining the feelings of distinctness in the sikh masses. The basic ideological framework of the akali dal revolved round the concept that the sikhs constitute a separate political entity. According to this ideology, sikhism is not a religion like other religions. Further, for the sikhs, religion is inseparable from politics. They argue that there is not the least doubt that the sikh religion can live only long as the Panth exist as an organized entity. This is further elaborated by Sarup Singh, the founder President of All India sikh student Federation when he stated that, 'except in corporate existence and solidarity, the khalsa based as it is on sikhism had no meaning'. This great concern for the sikh solidarity is defended by the Akali ideologues on the grounds that it has provided a protective shield to the sikh community and helped it in maintaining a separate and distinct identity.

As this ideology is supposedly based on sikh traditions and ideals, it has exercised strong influence on the tradition oriented sikh masses, The

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Akali ideology has acted as a protective shield to the community but its other dimension is that it has generated a certain degree of dogmatism and intolerance. In a plural society like India, this ideology creates difficulties in the way of haronious relations between ethnic groups, particularly when this is used as an instrument to capture political power. The Akali leaders time and again have stressed that the sikhs have a culture different from that of the Hindus in as much as they count the culture of sikhs to the Gurumukhi culture and as the language of the sikhs was different, as Hindus professed it to be so too their traditions and histories were different, their heroes were different, their social order was different, then there was no reason why they should not claim the right of a distinct community. Time and again, they have raised the voice that they should have such safeguards as can give them an honourable status.

The Akali Dal after independence, in order to capture power, communalised its demands by projecting these as the demands of the sikhs alone. The Akali leaders have stressed that sikhs have a culture different from that of the Hindus, their literature is Gurumukhi literature and their culture is also Gurumukhi culture. They stressed that they want to have a province, where they can safeguard their culture and their tradition. They further add that what they want was an area where the sikhs would be in majority so that they could escape from Hindu somance. This ideology of the Akali Dal have been successful in generating a feeling of distinctness among the sikhs.

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Strategies of SGPC & Akali Dal

The Akali Dal in order to capture power have adopted ~~three~~ four type of strategies in post-independence era. Firstly it had adopted the Colational strategy which implies a technique adopted by different groups and factions of the skihs to establishm their control on the SGPC during the inter-election periods by disloding the one in power in this organization with the help of their poled strength. This strategy has been used mostly at two levels. At the inter-party level athe different political parties have been using it against the Akali Dal and at the intra- party level the various factions within the fold of the latter have been resorting to it to acquire a dominant share of power within the party. Secondly, it has adopted the constitutional strategy . It implies the achievement of power ~~and~~ aims in the SGPC by the party in power in the government through the instrumentality of its authority to alter the constitution of this religious institution. Such a strategy was used a number of times by the ruling party against the Akali Dal in the pre-reorganization period despite protests from the latter that the sikh Gurdawaras Act cannot be amended without the express demand or approval of the SGPC. In the post-reorganization period too this strategy has been adopted by the ruling party as frequently as during the pre-reorganization period of course with opposite modalities i.e., by not bringing the amendments desired by the SGPC.

Thirdly the akali dal has adopted the Administrative strategy to achieve its aims. This strategy ~~implies~~ refers to the utilization of the

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administrative machinery of the state by the party in power to achieve its goals of displacing or destablilizing the party or faction in control of the SGPC. In the pre-reorganization period this type of strategy had been adopted by the ruling party in 1955 when its government commanded the police to enter the Darbar Sahib Amritsar to arrest the agitating Akali leaders taking shelter within the shrine. However, Bhim Sen Sachar, the then Chief Minister of Punjab, had to yield to the Akali resentment against the sacrilege which cost him his high office. A similar strategy was planned by his successor Partap Singh Kairon in 1961 against the Akali Dal leader Master Tara Singh who had gone on fast for Punjabi suba within the same shrine. This strategy was also adopted by Lachman Singh Gill, who became the Chief Minister towards the end of 1967. In order to stabilize himself in power in the state by capturing the SGPC he manipulated the administrative machinery of the governement against his rivals sants Fateh Singh and Chanan Singh.

Finally, the Akali Dal has adopted the Electoral strategy to achieve its objectives. By electoral strategy we mean to attempt by different parties, groups or factions to establish their respective control over, or to destablize the position of the controlling party, group or faction in, the SGPC through the process of Gurdwaras elections. Linking the political demand of state autonomy with the Gurdwara elections, Akali Dal have stressed that they are fighting the election as a representative of the panth and a custodian of its interests. The Akali

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Dal will in a better position to articulate the sikh demand for state autonomy if it won the confidence of the sikh masses in the elections. In the elections it is often argued that it would impart the people a sense of participation in the process of political and economic development. The Gurdwaras elections , contested as these are mostly on religio-political issues, identities and symbols are invariably deemed by the successful group or faction as bestowing on it the spokesmanship of the entire Sikh community and providing legitimacy to its political goals and policies. All these strategies have been successful in keeping the distinct identity of the sikhs intact.

The feelings of distinct identity of the sikhs have been further enhanced by the Dharm Parachar Committee of the SGPC, the ecclesiastical arm of the Akali Dal. It has stressed that sikhs have their own culture quite distict from that of other people, inhabiting the rest of India. Their religious believes differ, their heritage differs, so their culture differs. The sikhs have a history, they have a home, they have traditions, they have a well developed language, they a religion, they have a distinct society, morality and aesthetics. Thus they have a separate culture which they want to protect. In India, Hindu has been considered to be a language of all Hindus irrespective of the region they live in. They want to impose their language, religion and culture on the minority communities directly or indirectly. They want to killthe culture of minorities and make India monocultural state. Nationalism in India has been connected with Hindi, Hinduism

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and Hindu culture, India got freedom, but not the sikhs, hindus left the enemy country and migrated to a country of their brothers. So did the Muslims. But the sikhs left the enemy country and migrated to another enemy country, kill the language kill the culture, kill the community is the tripple precept of Hindu diplomacy. This would make India monolingual, mono-cultural and mono-religious. This is the dream of Hindu nationalists. Any non-Hindi speaking man who declared his mother tongue as Hindi, became a hero. It was a simple method, it required telling a lie only. Hindus of Punjabi speaking area in Punjab told the biggest collective lie when at the time of census, all of them declared that their mother tongue was Hindi and not Punjabi. Consequently, Punjabi was not givenstatus of full official and administrative language, till 1966 and even after the re-organisationof Punjab, it is being recognized half heartedly and in the manner that it may die ultimately. At every step an attempt is made to place Hindi by its side.

As regards the medium of instruction, an organized attempt is made to kill it. It has been left to the sweet choice of the parents ~~of~~ to decide about it. All Hindu institutions adopt Hindi as the medium, only the sikh institutions ~~adopt~~ talk to Punjab. In the government institutions there is partition on a small scale into Hindi speaking student community and Punjabi speaking student community. This partition is the making of Hindus and not of sikhs, the crux of the problem is that Hindus do not want to be dominated by any other community in any state, they are Hindus first and then Indians. The

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cultural minorities are the mercy of their voting power, therefore, they are in search of some means of protecting their culture, they do not want to be absorbed. They need safeguard for the protection of their culture, For the minorities it is the question of life and death. It is useless to assert that India has one culture, diversity is there, nobody can deny but some say that there is unity in diversity. This is nothing but self-deception and a wishful thinking of the few. There is no unity of religions, traditions, no unity of language, race or heritage. Each religion, language or race has its distinct culture and should not be confused with Hindus. The strategies of the Akali Dal as well as the SGPC and its sub-committees, therefore, has been successful in generating a feeling of distinctness among the sikhs and the other communities in Punjab.

An analysis of this chapter reveals that the tendencies towards sweparation of the sikh community from the Hindus in Punjab and towards strengthening of internal communications among sikhs, therefore, developed in the singh Sabha Movement in early 1870's which attempted to consolidate the sikh sects into a single cohesive religious community, inthe developments of network of educational instituions under Chief Khalsa Dewarn to impart religious institutions to sikhs; in the formation of SGPC to manage the sikh Gurdwaras and to provide a mechanism of representation for the governance of the religious affairs of the sikhs; in the formation of Akali Dal at the same time, to articulate sikh political demands, in the increasing identification of sikhs with

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with Gurmukhi language and inthe publication of books and newspapers in Punjabi reflecting sikh social, religious and political aspirations. Given the religious and social netweork and the mobilitary potential of religion, the Akalis decided that the economic and political demands are likely to get better hearing by raising them from religious plateform. The Akali Dal therefore, enacted Anandpur Sahib Resolution which declare that the Dal shall ever try to preserve and keep alive the concept of distinct and independent identity of Panth and to create an environment in which national sentiments and aspirations of the sikhs will find full expression, and satisfaction/growth.

With its continued hold over SGPC and its influence with the sikh masses alongwith vast resources in terms of men and money, the Akali Dal has been weilding tremendous political influence and power among the sikhs since the days of Akali movement. As religious places were successfully used as platforms to fight the Mahants, and the Britishers during Akali movement, they continue to be used as such even in the present times. Almost all political agitations have been launched by the Akali leadership from the Gurdwara platforms. These agitations have enhanced the feeling of distinctness among the sikhs.

Further more, it has been observed that the Akali Dal has generally been articulating this political demand in terms of religion, claiming apt conditions for the existence of the sikh community where it could develop its religions and culture unhindered by the Hindu dominated ruling regime.

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Championing itself to be the crusader of the Gurdwara Reform Movement and identifying the authorities in Delhi with the Mogual tyrants, it appeals to the sensitive emotions of the sikhs and further condolidates their support under its banner. The repeated remembrance of the traditional and the sacrificial identities in this community, thus helps generate a milieu in which the other minority groups, particularly the Hindus and the Nirankaris are also motivated to seek communal cohesion by exploiting similar identities. In this atmosphere of rigid communal loyalities the Akali Dal suceeds in securing a renewed mandate from the sikh massess to control the SGPC. It is more apparent then real that some SGPC members are not only politically oriented but power motivated also. They used this religious body as a steping stone for staging entry in the political field. They generally seek entry into this body with expectation of higher returns in terms of political power and state portfolios. These patterns have also been found to be reflected with remarkable fidelity in the higher position of authority and leadership in this institution. The emerging trends indicate a greater influx of members with religio-political moorings and a diminution of those with religious attributes. The SGPC therefore is not merely a governing body of the sikh shrines but also performs the functions of a representative group on behalf of sikh community.

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Originating as a reformist movement in Hinduism in the fifteenth century, sikhism developed distinct identity of its own in its confrontation with the Mogual state. This feeling of distinctness was further enhanced by Guru Govind Singh by establishing the Khalsa in 1699. The Reform Movements in sikhism like Singh Sabha Movement, also succeeded in creating its seperate identity. The policies of the Britishers particularly, the policy of divide and rule also generated the feeling of distinctness among the sikh. In addition to it the formation of Akali Dal and SGPC since early twenties have been continously generating the feeling of distinctness among the sikhs. This feeling of distinct identity has become the motive force behind the demand for a seperate sikh home land.

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The Parliamentary Board of the State Jana Sangh, the coalition partner of United Front Ministry, met on February 1, 1970 and described the decision of Central Government on Chandigarh and Fazalika as most abject, humilating, unjust and detrimental to the interests of Punjab and urged the Punjab Government to take a bold stand and reject the decision in toto immediately. The resolution also stated that the decision is mainly based on Congress Party's gain and as such is not merely a mischievous fraud with Punjab but is also bound to injure communal harmony. The Akali leadership was confronted with yet another crisis when the Chief Minister Gurnam Singh alongwith some followers revolted against the selection of Akali candidate for Rajya Sabha by the President of Akali Dal. The infightings consequently led to an open revolt in the Akali Dal on March 25, 1970 when 35 Akali legislators led by Parkash Singh Badal and supported by Jana Sangh members voted against the Appropriation Bill. The Chief Minister submitted his resignation on the same day.

The Akali Legislature Party, after pulling down Gurnam Singh unanimously elected Parkash Singh Badal as its leader on March 27, 1970 and he was administered the oath of office on March 29, 1970. The Jana Sangh members of the Assembly also supported Parkash Singh Badal. But the honeymoon relationship between the Akali Dal and Jana Sangh remained short due to the pressure from Arya Samajists and other groups. The Jana Sangh insisted on curtailing the jurisdiction of Gurunanak Dev University and also raised the issue of the establishment of Dayanand University at Jullundhar for the promotion of Hindi. The Akali Dal Legislative Party in its meeting on June 26, 1970 refused to make such concessions to Jana Sangh. The Jana Sangh, as such, quit the ministry on June 30, 1970. The withdrawal of Jana Sangh from the Ministry led to the warring factions of Akali

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Dal uniting as one party on July 20, 1970. The stength of the Akali Legislators went upto fifty five and it provided the necessary boost to Prakash Singh Badal Ministry as it could now survive on its own strength. In the March 1971 mid-term Lok Sabha elections, the Akali Dal won only one seat, the Congress and its alliance partner, the CPI won 10 and 2 seats respectively. The internal dissentions in the Akali Dal took an ugly turn. The members started levelling charges of corruption against Ministers and other started aspiring for ministerial posts. Sant Fateh Singh made frontic efforts to resolve the internal crisis of the Akali leaders but without any concrete results. The Chief Minister, Parkash Singh Badal outmaneouvering his rivals advised the Gocernor to dissolve the Assembly. The Governor accepted his advice and immediately dissolved the Assembly on June 15, 1971. The State was kept under President rule.

The Assembly elections in Punjab were held on March 11, 1972. The Congress entered into alliance with CPI and captured 66 out of 88 seats it contested. The CPI its alliance partner captured 10 seats out of 13 it contested. The Akali Dal being faction ridden as well as politically isolated, capured only 26 seats. The Congress High Command, selected Giani Zail Singh, the Punjab Congress Committee Chief, to lead the Congress Ministry in Punjab and he took over as Chief Minister of Punjab on March 15, 1972. The Chief Minister tried to outmatch the Akalis in their homeground. He tried to fight back the Akali Dal with its own weapon i.e. religion. He adopted a strategy to show the Sikhs that he was as devote as any Akali leader. He made a point of attending the celebrations of all Sikh festivals and of preaching sermons at them. The Guru Gobind Singh marg which aimed at linking Anandpur Sahib with Damdama Sahib, and also ninety-one places of religious importance connected with the life and work of Guru Gobind Singh,

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which was started by the Akali Dal Government in 1969, was got completed by the Chief Minister. Not only that, he lead the Mahan Yatra (the big march) from Anandpur Sahib on April 10, 1973 which reached Damdama Sahib on April 13, 1973. The Chief Minister was honoured with a sword and saropa at the conclusion of the big march. The historic weapons connected with 10th Guru, were taken back from Britain with a great deal of religious fervour. The Chief Minister went around finding new friends and religious leaders. As a result of this policy the Chief Minister earned the admiration of the Sikh masses. His religious politics took the wind out of Akalis' sail.

The Akali Dal's main problem was how to maintain its credibility with the Sikh Community, because the government headed by the Congress Chief Minister was not giving them any opportunity to prove that they are more concerned with their community. The Akali Dal therefore appointed a Sub-Committee to draft a new policy programme headed by Surjeet Singh Barnala. The Committee, after a long deliberations enacted the new policy programme of the Akali Dal which was adopted by the Working Committee headed by Mohan Singh Tur on October 16-17, 1973, at Amritsar and given the name of Anandpur Sahib Resolution. The Resolution authorised the Akali Dal to be the sole representative of the Sikh Community. It has been stated that the Shiromani Akali Dal is the very embodiment of the hopes and aspirations of the Sikh quom and is fully entitled to its representation. The major purposes and objectives of Shiromani Akali Dal are listed as under:-

(i) To propogate and promote Sikhism and its code of conduct and denunciation of atheism.
(ii) To praserve and keep alive the concept of

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> distinct and independent identity of Panth and to create an environment in which national sentiments and aspirations of Sikhs Panth will find full expression, satisfaction and growth.

In addition to it the Anandpur Sahib Resolution also deals with the economic and political programmes of the Akali Dal. The Akali Dal also amended its party consitution. In addition to that the Akali Dal joined hands with the Janata Party Movement during emergency which was imposed on June 25, 1975 against the wishes of Congress leaders. In a Resolution adopted on June 30, 1975, the Akali Dal expressed its concern over the imposition of internal emergency and suspension of fundamental rights on false pretext which is absolutely unwarranted, uncalled for and politically motivated. This step was undoubtedly an onslaught on civil liberties, freedom of press, freedom of speech, a rape on democracy and a great step towards dictatorship. Thereafter, the Akali Dal launched the "Save Democracy Morcha" from July 6, 1975 and all top leaders offered themselves for arrest. The morcha continued for nineteen months till the emergency provisions were relaxed and elections were announced.

The Punjab Assembly Elections were held on June 12, 1977. The Akali Dal contested this election in alliance with the Janata Party and CPI(M). This alliance captured 91 out of a total 117 Assembly seats. The Congress unanimously elected Parkash Singh Badal as its leader and he took over as Chief Minister of Punjab on June 20, 1977.

The Government headed by Parkash Singh Badal after a short duration came in conflict with the Organisation Wing of the Akali Dal headed by Jagdev Singh Talwandi. The main reasons for this conflict were :

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(i) the handling of Nirankari issue after the Akali - Nirankari armed clash at Amritsar on April 13, 1978.

(ii) the dismissal of Sukhjinder Singh, the Education Minister from the Cabinet.

(iii) the soft pedalling by the Chief Minister of the Janata Party - his alliance partner.

From Self-determined Ref. States & Sikh - a Separate Quom.

This fanctional conflict continued for over thirty months and took a serious turn after the dismissal of Parkash Singh Badal Ministry on February 17, 1980. Though the rival groups led by Parkash Singh Badal and Jagdev Singh Talwandi were engaged in a relentless struggle to dislodge each other from their positions, yet none of them stressed on the demands included in the Anandpur Sahib Resolution. The factional fight ultimately resulted into a split in the Akali Dal on August 20, 1980, when Harchand Singh Longowal was elected as Party President against the wishes of Jagdev Singh Talwandi. In order to establish their legitimacy among the Sikhs, both the Akali factions started demanding greater autonomy for states by stressing that Sikhs are a separate quom. In order to dominate the other factions each of them tried to accommodate the fundamental and orthodox elements in its fold which ultimately resulted into creation of a Frankenstein that ruined them all. In addition to it, Giani Zail Singh and his collegues, after 1977 Assembly elections defeat were very harrased man. They adopted the strategy of embarassing the Akali-Janata coalition by activising their erstwhile allies and friends who would take impossible stands on religious-cum-political issues. They tried to wreck the Akalli Dal from within as well as outside. First of all, the Cogress assisted Sant Jarnail Singh Bhindrawala and also supported the Dal Khalsa when its members fought the Shiromani Gurudwara Parbandhak Committee

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elections against Akali candidates. The Congress also supported Sant Bhindrawala's nominees in the Shiromani Gurudrawa Parbandhak Committee elections and in turn got his active support in the 1980 Assembly elections in which he compaigned for Cogress candidates. Initially the Congress was successful in getting support from the orthodox elements but ultimately it proved disastrous for Punjab as well as the unity and integrity of Indian State.

The Assembly Elections in Punjab were held on May 31, 1980. The Congress won 63 seats of a house of 117 members. The Akali Dal won only 37 seats primarily because of its factional character and intra-party conflicts. The Congress High Command selected the name of Darbara Singh for the post of Chief Ministership and he took the oath of office on June 7, 1980. The Ministry headed by Darbara Singh became faction ridden and these factional infighting in the Congress the break away group of Akali Dal headed by Jagdev Singh Talwandi, in order to reassert its position among the Sikhs enacted its own version of Anandpur Sahib Resolution on April 13, 1981 and threatened an agiation if it was not accepted. The All India Sikh Student Federation also started inflaming the Sikh feelings and served an ultimatum to the Punjab government to put a ban on the use of tobacco in the walled city of Amritsar on May 30, 1981. On the next day Sant Jarnail Singh Bhindrawale also led a procession demanding the ban on the use and sale of tobacco in the walled city of Amritsar. Not to be overshadowed by these developments, the mainstream Akali Dal headed by Sant Harchand Singh Longowal decided that to get a better ~~xkyim~~ image it must woo the Sikhs and rely on the traditional style on combining religion with politics. It decided to putforth the demand of acceptance of Anandpur Sahib Resolution by the Government. On September 8, 1981 a list of 45 demands was also presented to the government by the Akali Dal. The Akalis stressed that

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these demands should be accepted by the government.

The government turned panicy over the Akali demands for the acceptance of Anandpur Sahib Resolution as well as the concept of Sikh - a separate nation expressed differently in its different versions. Again the Resolution pledged to preserve and keep alive the concept of distinct and independent identity of the Sikh Panth and create an environment in which national sentiments and aspirations of the Sikh Panth will find full expression, satisfaction and growth. While one version of the Resolution demanded that a Sikh Autonomous Region may be conceded immediately and declared as entitled to frame its own constitution and basis of having all powers to and from itself except foreign affairs, defence and general communications, the other version asked for the merger of all Punjabi speaking areas to constitute a single administrative unit where the interests of Sikhs and Sikhism are specially protected and where Central intervention should be restricted only to defence, foreign affairs, posts and telegraph, currency and railways. Though Sant Harchand Singh Longowal tried to clear the prevailing confusion, yet it remained intact. Sant Harchand Singh Longowal on October 11, 1982 stated that, "Let me make it clear once and for all that the Sikhs have no design to get apart from India in any manner. What they simply want is that they should be allowed to live within India as Sikhs free from all direct and indirect intereference and tempering with their religious way of life. It was reiterated that the Panthic political aim was Khalsa Ji Ka Bol Bala i.e. a State where the Sikh majority would be in power.

Meanwhile, Lala Jagat Narain, a former Arya Samah leader and the editor of Hind Samachar group of news papers was shot

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dead on Grand Trunk Road near Ludhiana on September 9, 1981. With the murder of Lala Jagat Narain a new wave of terrorism and extremism started that was to engulf Punjab and the failure of the Akal is to condemn it was typical of the attitudes they more or less adopted over the killings of other innocents subsequently. The Punjab Government expressed its intention for the arrest of Sant Jarnail Singh Bhindrawale on the charge of his involvement in the murder. But the manner in which he was arrested on September 20, 1982 and subsequently released on October 19, 1982 resulted into the beginning of a new era in the state of Punjab. And both the Punjab and the Indian State had to bear the burnt of the failure of their leadership.

On September 21, 1981, the day after the arrest of Sant Bhindrawale, the Prime Minister, Mrs. Indira Gandhi invited the Akali leaders for talks at Chandigarh. The Akalis besides their earlier demands, submitted a fresh memorandum containing 15 demands to be accepted by the government. A meeting between Akali leaders and the Prime Minister was held on October 16, 1981, wherein the ~~Akal is~~ Akalis alongwith their demands also stress for the acceptance of Anandpur Sahib Resolution. The meeting between the Akalis and the Prime Minister again took place on November 23, 24, 1981 but their talks were not conclusive. While the Akalis blamed that the Prime Minister wanted to prolong the discussion to keep issues pending, the government blamed the Akalis for adding more and more demands.

Simultaneously, the Akali Dal started an agitation at Kapuri on May 24, 1982. They gave a call of Nahar Roko i.e. stop the digging of canal. It continued for 10 to 15 days but failed to catch the attention of the Sikhs. The Akalis decided to shift the venue of agitation from Kapuri to Golden Temple at Amritsar for giving it the required religious overtones. The agitation

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from Amritsar had always caught the imagination of Sikhs and the Akalis knowing it well decided to shift the venue and resumed it from Amritsar on August 4, 1982.

The Punjab Chief Minister, Darbara Singh feared that the agitation from Golden Temple would rehabilitate the Akalis. He tried to create a parallel leadership against the Akali Dal and in compliance with this strategy the Punjab Government arrested Amrik Singh the President of All India Sikh Student Federation and Thara Singh the manager of Gurudwara Chowk Mehta on July 17 and 19, 1982. Sant Bhindrawale started a morcha on July 19, 1982 from within the premises of Golden Temple against the release of his associates. The Akalis feared that Sant Bhindrawale who had started a morcha might eventually take over the Golden Temple Complex itself. They, therefore, adopted another strategy and gave a call for a Dharam Yudh on August 4, 1982 and appealed to all the Akali factions to unite under the leadership of Sant Harchand Singh Longowal. All the Akali factions responded favourably and they also appealed to Sant Bhindrawale to merge his morcha with theirs on the condition that his cause too will properly be included in their demands. Sant Bhindrawale agreed and announced the merger of his morcha with the Dharam Yudh started by the Akils. By doing so, the Akalis gave the much needed legitimacy and provided shelter to Sant Bhindrawale and it resulted into the beginning of a new era in the politics of Punjab. While the Congress thought that the rise of Sant Bhindrawale will wreck the support base of Akali Dal the Akalis provided him the much needed shelter to put pressure on the Congress Government to get their demands accepted.

The Dharam Yudh Morcha, however, caught the imagination of the Sikhs and about 70,000 volunteers courted arrest. The jails could not accommodate all of them and some were detained i

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camps even in houses. The Prime Minister sensing the substantial support of the Akali Dal released all the volunteers on October 15, 1982. In an attempt to win over the Akalis, talks were renewed with them and Sardar Swaran Singh was deputed to hold talks. The talks, however, failed due to intransigent attitude of Central Government and the Akalis announced that they would disturb the Asiad on November 4, 1982. The Government again invited them for talk on October 27, 1982 and this time the Akalis desired to associate opposition parties with the talks which was not accepted by the government.

The Akali Dal gave the call of "Rasta Roko" on January 4, 1983. The government again invited them for talks and also agreed to associate the opposition. A tripartite conference was held on January 24-25, 1983 consisting of Congress(I) the Akali Dal and the opposition representatives but it also proved helpless. Several other meetings were held between the government and the Akali leaders but without any concrete results.

Meanwhile, differences arose between Sant Harchand Singh Longowal and Sant Bhindrawale over the techniques employed in the Dharam Yudh Morcha. The supporters of Sant Bhidrawale were not in favour of peaceful methods employed in the morcha. Thus the Sikh activists got divided into pro-Longowal and Pro-Bhindrawale groups. The All India Sikh Student Federation and the Dal Khalsa workers began to conduct virulent campaign against the slow pace of the Morcha. Sensing their growing popularity among the Sikhs, Sant Harchand Singh Longowal gave the call of "Rail Roko" on June 17, 1983 and "Kam Roko" on August 29, 1983 which resulted into violance at several places.

Mass killing and roberies were now in common. The shooting of Deputy Inspector General, A.S. Atwal on September 24, 1983 at the gate of the Golden Temple and the killings of 6 Hindu bus

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passangers near Dhilwan in Kapurthala District on November 6, 1983 led to the resignation of Darbara Singh Ministry and imposition of President Rule in Punjab on November 7, 1983. With the increasing pressure of the government over the militants Sant Bhindrawale moved into Akal Takhat on December 15, 1983 with the consent of Gurcharan Singh Tohra, Shiromani Gurudwara Parbandhak Committee President.

Meanwhile, the Akali Dal gave the call of "Rasta Roko" on February 8, 1983 and the government again invited them for the talks. The opposition parties were also present. This time Haryana Chief Minister, Bhajan Lal's intransigent stand that Abohar and Fazilka be tiven to Haryana in exchange for Chandigarh as per Mrs. Indira Gandhi's verdict foiled the talks. This reduced the position of Akalileaders to the pathetic figures and provided strength to the militants. Their popularity and influence increased among the Sikhs. In an attempt to strenfthen their deplecting ranks, the Akalis put forward the demand of amending article 25(2) section (b) of the Constitution which they allge clubbed Sikhs with the Hindus. The Akalis decided that they would burn the pages of Constitution containing article 25(2) section (b) on February 27, 1983. The Government arrested all those leaders who teared off and burnt the pages of Constitution on February 28, 1983. Meanwhile, violence and killings became frequent in Punjab and the militants started challanging the authority of the government. The government turned panicy over their activities and wanted to curb them and their growing influence.

On May 11, 1984, the government released all those Akali leaders who were arrested in connection with the burning of the pages of Constitution containing Article 25(2) section (b). On their release, the Akali leaders were taken aback by the growing

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popularity of the militants. They in order to keep their support base intact, demanded a separate personal law for Sikhs. Gurcharan Singh Tohra on May 17, 1984 met the government representative and put forward this demand but the government's response was icy cold. The Government representatives asked him to draft the terms of reference, if he could, for a Commission in such a way that Chandigarh should go to Punjab and Abohar town to Haryana. Accordingly, Gurcharan Singh Tohra discussed with Harchand Singh Longowal, who was keen to wind up Dharam Yudh Morcha on honorable terms. He, also discussed with Sant Jarnail Singh Bhindrawale whom he thought, he could influence. But much to the disappointment of Gurcharan Singh Tohra Sant Bhindrawale accused him of begraying the commitment toto the Anandpur Sahib Resolution and the Akal Takhat. On May 26, 1984, Gurcharan Singh Tohra informed the government that he had failed in his mission and it could do what it wants. Meanwhile, Sant Harchand Singh Longowal gave the call for a Civil Disobedience Movement from June 4, 1984. The struggle for struggle for power and position among the Akali leaders on the one hand, and the Akalis and the militants on the other, generated a new wave of terrorism in Punjab.

In order to combat the terrorist threat, the Government of India decided for an army action in the Golden Temple on June 3, 1984. The army action generated wide spread resentment against the government among Sikhs in general and Akalis in particular. The feelings against the government reached the apex when the Prime Minister, Mrs. Indiara Gandhi was shot dead on October 31, 1984 by her own body guards. Several other Congress leaders and those who actively took part in the army action were also either injured or assasignated. The army action also generated a feeling of resentment even in the armed forces wich subsequently was

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pacified and controlled. In addition to it, the All India Sikh Student Federation and Damdami Taksal members had a feeling that Akali leaders who were safely brought out of Golden Temple by the army during the army action were mainly responsible for the death of Sant Bhindrawale and his close associates. The feeling grew that Sant Bhindrawale and his associates died for the cause of Panth and the Akalis were only exploiting the Panth to acquire positions of power and prestige. They, therefore, started drifting apart from the Akali leaders who were safely kept under detention.

The assasination of Prime Minister, resulted in large scale violence, instigated by the local leaders, against the Sikhs in Delhi, Kanpur, Bokharo and other places in which several innocent lives were lost . The properties belonging to Sikhs were either looted or set on fire. This created a feeling of alienation among the Sikhs and embittered the relation between the communities which were exploited by sectarian leadership.

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Even Indian Press particularly P.T.I. criticised the parishad movement. L.Durga Dass Verma, therefore, sent to P.T.I. the following note[107] :-

ALL JAMMU & KASHMIR PRAJA PARISHAD NOTE TO P.T.I

NO. Dated Ist December, 1952

To

.....

Sir,

The Anti Democratic altitude adopted by the Government of Jammu and Kashmir is suppressing the national with India, like other integral parts of the Union, is too well known to need any further comment. But, the altitude of the Indian Press, particularly English which has constantly given prominence to the official version of the present movement of the Parishad, is highly unfortunate.

The P.T.I. special representative, who has been specially lodged by the Government in an palatial bungalow here in Jammu, is constantly endeavouring to paint the Parishad movement according to the dictates of the Press Information Bureau of the State. As a result, the whole responsible Press of India is mislead to the determent of the country's interests as a whole.

The present struggle is nothing but an upsurge of the popular determination to effect the unconditional accession of the State with India and thus line its fate, with the rest of Bharat. The suffering and sacrifices that to have insisted, is, the result of the utter disregard and indifference to our aforesaid cherished desire on the part of Government of India, which is reserving no pains to boost up the sheikh Abdullah's fancing of the restricted accession, for reason best known to the Government of

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Bharat itself.

Should we feel helpless and thus yield to the recent sinister decision of the Kashmir Consembly, which are in exact concurrence with the Nehru-Abdullah pact, it will represent the greatest political blunder ever made in history by a self respecting nation. These decisions are equally a challenge to the Indian integrity and are likely to lead to the Balkinisation of India in course of time.

The present fight, is therefore, as much of Indians as it is of the unfortunate state people. So it is the patriotic duty of every Indian to extend all possible help to this struggle.

In all humility, I request you on the fair name of journalism to depict Praja Parishad movement in its true colours.

We are given to understand that your special correspondent is arriving here. In this connection, I fervently appeal you to instruct him not to remain Government guest, instead seek information from the General Public and read the pulse of the masses. This will be real service to the cause of Indian Unity.

Jai Bharat

sincerely Yours,

sd/(Dura Das Verma)

General Secretary

All Jammu & Kashmir Praja Parishad, Jammu.

Satyagrah was organised on the issue that Sheikh Mohammad Abdullah minimised the State in the name of secularism, that there was utilitarianism in the name of democracy; that Civil liberties had been crushed; that efforts were being made for carving out an independent

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Kashmir; that Delhi was a betrayal and that situation was developing into such a direction as would elevate the State to the status of a sovereign state, with its independence guaranteed by the people's Republic of China and the USSR, besides India and Pakistan[108]. The other issues raised up against Sheikh Abdullah related to the gerrymandering of Hindu majority areas for election purposes; making urdu compulsory subject for all, distribution of key posts among Muslims and sacrificing the interests of non-Muslims. The Sheikh Abdullah was, therefore charged with anti-national tendencies, taking away Kashmir from India[109]. Even one of his cabinet Minister Sham lal Saraf was encouraged to oppose Sheikh Abdullah for his making highly inflammable public speeches and for authoritarian attitude in the Cabinet. He resigned from the cabinet saying that "I hold my post as a trust from the people, especially the minority communities, to which I happen to belong, and it becomes my duty not to betray this trust at a moment of crisis[110].

The All J&K Praja Parishad, however, high lighted the problems of Jammu province and made following demands to the State Govt, in 1952[111]:-

BASIC PROBLEMS

1. Constituent Assembly should pass a resolution for complete accession and application of Indian Constitution to the State.

2. Delhi Pact to be implemented as early as possible Jurisdiction of the Supreme court.

3. Abolition of Custom duties.

4. Financial Integration.

5. Abolition of Permit system.

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6. Enquiry into the circumstances leading to the death of Dr. S.P.Mukerjee.

7. Five year plan for the State.

8. Jammu province to share equally in the Five Year Development Plan, and its implementation with our consultation.

9. Representation in the Parliament and Re-election in the State. At least by elections for Jammu province.

10. Abolition of Revenue Board-Corrupt and incapable partisans administering justice.

11. Praja Parishad must be taken into confidence in every matter to avoid controversies and contradictions and to inspire confidence and cooperation.

12. Police and Magistracy should be independent and impartial and free from undue influence of the Political parties especially the party in power.

13. Judiciary needs to be pulled to move more swiftly because justice delay is justice denied. Present state of affairs causing greatest inconvenience to the seekers of justice. Cases pending for years together in different courts.

PROBLEMS CONCERNING AGITATION

1. The cases pending against Parishad workers should be with drawn forthwith irrespective of the fact whether they pertain to alleged violence or not.

2. Appeals pending in Session courts-orders remitting sentences and fine to be passed.

3. Attached properties sold or lying in police thanas to be released. Properties auctioned to be restored to their owners.

4. Fines realized to be refunded and losses to be

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compensated.

5. Compensation to all political suffers including bereaved families of those killed in the firing and also those injured and rendered incapable to earn.

6. All persons suspended, transferred, degraded and whose increments stopped, resignation accepted, should be restored to their actual positions. Numberdars suspended during agitations to be reinstated.

7. Disqualifications both in elections or services due to conviction in agitation should be removed.

8. All licenses cancelled to be restored, arms, transport, cloth.

9. An enquiry commission with a judge of some Indian High court to enquire into cases of excesses-loot, corruption and rape.

MISCELLANEOUS PROVINCIAL PROBLEMS

1. Panchayat system for the fair and cheap Justice be introduced. Village Numberdars and Zaildars to be elected.

2. Revenue Boards to be abolished immediately as men of ability and experience and that of representative character have not been included in them.

3. People settled on boarder areas to be given sufficient number of rifles and ammunition. Those who have been deprived of such rifles should be again supplied to protect there kith, kind and cattle.

4. Water tax to be reduced. Water works Machinery and Electric plants to be replaced by new machinery.

5. Irrigation tax which was increased 500 times in some cases and doubled in other cases by Abdullah regime be brought to the previous level.

6. Another B.T. College to be established in Jammu.

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This was originally started in Jammu college but later shifted to Srinagar without any justification.

7. Infiltrations be stopped once for ever.

8. Colleges in the District Towns like Kathua, Rajouri and Udhampur to be opened. One more should be started in Jammu.

9. Services, scholarships for higher studies to be given on merit. Public service commission to be established. Recruitment on consideration other than merit to be stopped.

10. Arms and ammunition distributed by Col. Adalat Khan Military Administrative in Doda District to Muslims to be taken back as it is not boarder area.

11. REFUGEES.

a. All women and children still in the hands of the

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enemy (Pakistan)be recovered. Speed so far adopted to be doubled to remove constant heart burning. Government level pressure to be exercised.

b. All refugees to be registered. Their claims to be scrutinized as has been done in India. They should be duly compensated and till that happens no rent be charged from them for the Evacuee property in their possession.

c. Widows and orphans to be educated. Works for them in the Work Centres to be provided to enable them to live an honourable life.

d. Invalid, old and destitute to be given cash doles and rations for the life time.

e. Non-Liberated area people to be rehabilitated in colonies and liberated area people to be given loans for constructions of their houses and for restarting their lives.

f. Jammu district border area people other than agriculturist be given arms and ammunition.

LOCAL AND INDIVIDUAL CASES CONCERNING AGITATION AND OTHERS

1. Ban on the entry of Indian papers, Pratap, Hindu, organiser Hind Samachar and Vilap and on issue of Swedesh local paper to be removed.

2. Restriction on the entry of K.Vishno Gupta and Shri Mahesh Chandra to be removed.

3. Districts in original position to be restored and distribution of areas to be readjusted.

4. State Vrs. Bodh Raj and other pending in the court of Sub-Registrar Jammu and State Vrs. Natha Singh a case under section 28/32 Defence Rules pending in the court of Sub Judge Bhadarwah to be withdrawn.

→ 1. persons of political leaders - Pt. P.N. Dogra, M. Dharmartha Singh and M. Raghunath Singh to be released forthwith.

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6 — 5. Tawan-a sort of fine imposed on the people of Mathu Tehsil Akhnoor for the breach in the Canal rules amounting to Rs. 470/- to be remitted.

7. — 6. The property including Rs. 800/- in cash on automobile, two bicycles and other households equipment of Prof. Balraj Madhok confiscated in Srinagar during 1947 to be restored to the Professor.

8. — 7. Parishad Jeep and Command Car to be restored and compensated .

9. — 8. Th. Dhian Singh's dismissal.

10 — 9. Samba incident cases to be withdrawn and Bk. Naunihal to be reinstated.

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10. Nala Kosh bridge Ramanagar case.

11. Bimla Koul-Ex-Head Mistress Udhampur to be re-reinstated.

12. One Chajju Ram compositor of the Ranbir Govt. Press whose nomination papers was rejected simply on the ground that his resignation was not accepted to be

Pt. Nehru and Sheikh Mohammad Abdullah wantonly criticised the politics and approach of the parishad leaders and abused them as Hindu Communalists. 112

x——— While contradicting the denial statement issued by the Kashmir Govt. regarding its attempt to carve out predominantly muslim zones out of the areas which were over-whelmingly non-muslims in Jammu provinces, ~~the All J&K praja parishad~~ published in "Hindu" on Feb. 6, 1953, The All J&K. praja parishad issued the following statement.

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reinstated

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L.Durga Dass Verma, however, issued following statement on 26.1.1953[113]:-

FOLLOWING IS THE FULLY TEXT OF THE STATEMENT ISSUED BY SHRI DURGA DAS VERMA GENERAL SECRETARY OF PRAJA PARISHAD JAMMU ON 26.1.1953.

Whereas I hesitated to react over the recent utterance of Pt. Nehru and Sheikh Abdullah as expect acknowledging "legitimate economic grievances of the Jammu people" the remarks passed and motives attributed by the two leaders to the existing mass unrest in the state showed little desire on their part to meat or consider the fundamental demand of the State people to be one with India's the political capital that certain opportunist have hastened to make out from these makes it imperative for me to

Pt. Nehru and Sheikh Mohammad Abdullah vemently criticised the policies and approach of the parishad leaders and dubbed them as Hindu Communalists.[112]

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express our view point unequivocally.

While we consider the timely reference to the deteriorating economic condition of the masses by so exalted a personality like Pt. Nehru, who has closely concerned himself with this unhappy affair, a step forward and that we are really heartened to note this welcome change in the Government of India's attitude; but the institution of an commission to go into the economic side of the causes of present discontent and to recommend ways and means for its removal, as suggested by some self-installed groups, is tantamount to the gross betrayal of the real urge of the people.

Ever since, in accomplishment of our cherished mission to effect the unconditional accession of the State with Bharat on the confidence of the unquestionable support of the masses, we have had to warn the struggling people not to be hoodwinked by such piecemeal manoeuvres of the ruling clique. In the context of present events it is my considered opinion that the exceptional and disciplined mass-uprising has divindled the fraudulent mansion of the party in power. All encounters and shameless attempts to hither to employed without least regard for democratic decency to create dissensions in the united front, the masses have so eloquently staged, the rulers of the state in their vain attempt to divert and confuse the public mind have taken recourse to such undemocratic tactics. It is their last bid to foil the determined effort of the suffering millions.

Economic distress apart, the political deed lock between the people of Jammu and the party in power has reached a stage where these eye wash measures are likely to aggravate

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further to the tyrannical rule of one party dictatorship, we look upon them as part of the suffering people. The Government by resorting to such propaganda want to shift the outcome of its erroneous policies over us.

In all humility I call upon every kashmir, whenever he is to understand the true perspective of our life and death struggle launched for

1. Full and unconditional accession to India

2. Application of Indian constitution and Indian flag over the state.

Viewing on this plan there is nothing provincial or communal in it. Every patriot having faith in the Secular constitution of India must extend all possible to our movement. Mutual distrust at this juncture of our country is highly deplorable. There lies the salvation of the state.

sd/Durga Dass Verma

General Secretary

All Jammu & Kashmir Praja Parishad Jammu. "

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The following was the full text of the statement issued by Durga Dass Verma on 30.1.1953 about the Commission of Police excesses[114]:-

FOLLOWING IS THE FULL TEXT OF THE STATEMENT WHICH SHRI DURGA DASS VERMA ISSUED AFTER PERSONAL ENQUIRING IN THE POLICE EXCESSES ON JANUARY 26TH & ON 31.1.1953.

Facts have fully substantiated our allegation against the high handedness and all advised conduct of the police authorities. The continued and deliberate silence which the executive authorities have maintained confines our

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belief that these provocative measures have their approval. The irresponsible attitude of the police on 26th January 1953 must prove an eye opener into the alleged police excesses.

A detail programme to celebrate the republic day was chalk out by the Praja Parishad Flag hoisting ceremony was to take place in the main city square, the place where the different groups of parbhat pharies were to watch this solemn ceremony. As soon as the 1200 strong procession including near about 500 women raising slogan:

Ek Desh Main Dho Vidhan
Ek Desh Main dho Pardhan
Ek Desh Main Dho Nishan
Nahin challenge, Nahin Challenge,

Rajan Babu Jinda Badh, Mahatama Gandhi Amar Rahe, was made to sit in an most disciplined and organised manner to hear the message which I had issued on this historic day, the police party headed by an Inspector of Police arrive on the scene. Meanwhile the colourful salute by the wel-uniformal band to make the hoisting of the National Flag was over. A special dais made of bricks and well cemented had been created for the purpose in the preceding night of January 25th by the Parishad volunteers.

The police objected to the ceremony under the silly prelut that the traffic was obstructed and as such the people should disperse forth. The Parishad volunteers on spot argued that as the ceremony was to take place only a few minutes, the question of obstruction to the free movement of traffic did not arise. But the police authorities, who had arrived with a defeat motive to dishonour the national Flag and excite injury the public.

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The inspector instantly ordered a Lathi charge which revolted in serious injuries to seven persons including three women. As a protest the whole city immediately observed a half day strike, thus sending shame to the bureaucrative irresponsibility. The story of counter fires from the public and injuries to any of the police officers as announced by the Radio so shamelessly is an afterthought fabrication thus the sole responsibility of these untoward happening is the shoulders of the Government has all along encouraged police officers in these most uncalled for measures.

Jai Bharat.

Sd/ Durga Dass Verma,

General Secretary All J&K Prajaparishad.

The following is the statement issued by L.Durga Dass Verma on 1.2.1953[115] :-

STATEMENT ISSUED BY SH. DURGA DAS VERMA GENERAL SECRETARY

PRAJA PARISHAD ON 1.2.1953

The timely admission of the "Legitimate grievances" of Jammu people by Sh. Jawaher Lal nehru in frank and unreserved terms roused hopes in us that this unequivocal announcement will be followed by some practical steps for their redress. Jammu people have been experiencing unprecedented difficulties both economic and political ever since Sheikh abdullah's rise to power. The treatment meted out to Jammu people in all spheres of public administration and the taunting kicks to their just demands throughout years of Sheikh Sahib's reign is a woeful tale beyond the scope of this statement to be related. The people suffered and sacrificed their all and exercised

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tremendous restraint in giving vent to the omissions and commissions of the party-in- power, in one and only one hope that the state will finally be acceded to Bharat. In their ardent desire to pave the way for speedy accession without any reservations the people continued to extend the hand of cooperation in face of humiliating attitude of the National Conference leaders.

The designs which the party-in-power manipulated stand fully exposed today. On the basis of our apprehension our fragment demands and requests have never found a deserving appreciation even on patriotic grounds by the Government of India.

In view of this background and the self-manufactured constitutional impediments of Sheikh Abdullah which the latter is ceaselessly exploiting for in furtherance of his designs to keep the state independent of any Bharitya control: the acceptance of the "Legitimate grievances of the Jammu people" by Pt Nehru cheered up the frustrated masses, who have hitherto received callous indifference from him. We anxiously awaited some positive reaction to such a courageous remark of Pt. Nehru from the Kashmir Government. We earnestly looked forward that Government of India will take the initiative to consult half to the provocative, cruel and undemocratic measures of the Abdullah Government.

But the recent reply to these "legitimate grievances" which Sheikh sahib has given in the course of a public speech in Delhi that he does not know what these grievances are, is ample evidence of the fact that in order to play his own game he can go to the length of contradicting even the Indian prime Minister. Such a categorical denial to

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the hard realities, as these words amount to, was least that well wishers of the state expected. Not only have these remarks injured the public feelings at large, but the magnitude of inhuman atrocities have also enhanced.

Apart from meeting the demands of the Jammu people which the Kashmir premier seems to reluctant to do we consider that Sheikh Abdullah has made awkward the position of Pt. Nehru. Should pt. Nehru be sincere to what he has uttered as we are sure he is, he must prevail upon the Kashmir National Conference leaders to see sense in the demand of Praja Parishad to acceded to India unconditionally.

So long as state does not accede to India fully and unconditionally, all hotch potch arrangements shall fail to pacify the Jammu province. In our considered opinion the legitimate grievances of the Jammu people are not likely to find amicable solution so long state is not made an integral part of the Union.

We wish speedy exploration of ways and means to and the present stalemate shall be taken in hand an hour of relief and tranquillity accorded to the people. In the end I congratulate Pt. Nehru for his bold remark and wish him to intervene directly in the matter.

Jai Bharat

sd/ Durga Dass Verma

General secretary

All Jammu & Kashmir Praja Parishad, Jammu. "

The movement soon assumed, serious proportions and its repercussions were felt outside the State also. Anti-Kashmir feelings in Jammu developed anti-Muslims overtones, while anti-Jammu reactions in the valley tended to become anti-Hindu and hostile to rest of the country. By December,

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1952, the whole of Jammu province was ablaze. The agitation had assumed formidable dimensions. The agitators were met with arrests and punishments, the Praja Parishad had full moral and material sympathy and support from Hindus all over the country. It had unflinching support of National parties like Jana Sangh, Ram Rajya Parishad, Hindu Maha Sabha and Akali Dal. The leaders of these parties even courted arrests in support of Praja Parishad's protest in Jammu.The Kashmir Nationalists and autonomists were of the view that the Praja Parishad agitation was basically an emotionally oriented disgruntlement against the valley based leadership in the State. They pointed out that from the very beginning of their freedom struggle, the Kashmiri leaders had never received an open minded and voluntary offered hand of cooperation from the Jammu Hindus. The Jammu Hindu mind was obsessed with the fear of Muslim majority in the event of Dogra rule was over. This obsession had never permitted them to accept the realities of time. They could not tolerate to see State government headed by Sheikh Abdullah whom they considered the archenemy of the Dogra ruler. The Parishad agitation was, therefore, essentially anti-Kashmiri anti-Muslim and anti-autonomous in its nature, character, aims and objectives[116].The Kashmiri leadership said that the agitation was politically a originally oriented aspirations for the attainment of an identity separate and distinct from that of Kashmiri identity, and at the same time, not having any appreciation for composite nationalism, a characteristic feature of India secular polity. They added that the separatist objective of the agitation was evident in its declaration to "put an end to Sheikh Abdullah and other workers of the

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National Conference. We shall sack their blood. We will root out this Government and send them to Kashmir. We do not like this Raj[117].

6th Feb. 1953.

The denial statement of the Kashmir Government regarding its attempt to carve out prominently Muslim zones out of the areas which were over-helmingly non Muslim in Jammu province published in the "Hindu" dated 6th Feb. 1953, page 7 column 4, is nothing but prostitution of the facts. Their reason that the boundaries of some districts have been adjusted "as a result of 31,251 square miles of the State territory having been over run by the enemy upto the end of the period" is far from truth and not convincing. A casual study of the map enclosed herewith would clearly show what the Kashmir Government has so far done and what it further intends to do.

Immediately after the assumption of the power the present Government transferred 18 villages of Ramban Tehsil (District Udhampur) falling on the valley side of the Peer Panjal to Anantnag District. These both districts had not been effected by the enemy raiders at all. Similarly some villages of Reasi District were joined with Anantnag District. No satisfied with that in Baisakh 2005(April, 1948) one month after taking of the oath by the present interim Ministry the government split Udhampur District with 1,65,000 Hindus and 1,88,000 Muslims population

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into two districts and created a new district of Doda with the three tehsils of Ramban, Kishtwar and Bhadarwah with a population of 1,09,000 Muslims and 77,000 Hindus leaving behind Udhampur District with two tehsils of Udhampur and Ramnagar with a population of 88,000 Hindus and 20,000 Muslims. Thus old district of Udhampur, which was not raised by the enemy was divided into Muslim and non Muslim zones and this division facilitated Sir Owen Dixen to include "some adjacent territories" along with kashmir valley for Plebiscite purposes. And is it not in the draft constitution the Kashmir Government to divide the state into four commissioners of Ladakh, Jammu (Excluding Doda and Rajouri Poonch), Kashmir valley (including Doda) and Rajouri Poonch. It would be interesting to note that Peer Panjal 10,000 feet high mountain near Banihal and at some places still higher separates valley from Doda District and remains unsurpassable for six months a year and all the necessary supplies of this new districts are imported from Jammu.

Reasi District had two tehsils of Reasi and Rajouri. The new regime has tagged Rajouri with Poonch and joined the Niabat of Naushera with it and thus created a new district of Rajouri and Poonch in which two lacs Muslims from across the cease Fire Line came after 1949 and have been rehabilitated there. This has also been inverted into a Muslim majority zone by adjustment of boundaries. This fact of infiltration was disclosed by Sheikh Sahib in his statement in the Indian Parliament on 5th March, 1952. It was due to this unchecked policy of infiltration of the Kashmir Government that a District Magistrate of Rajouri Mr. Trilochan Dutt, who belonged to national

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Conference and who was erstwhile a private tutor and became a district Magistrate through the good wishes of the party bosses, resigned as a protest against it. Then the remaining portion of Reasi District i.e. Reasi Tehsil was joined with udhampur District making it a predominately Hindu majority District. The readjustment of the District in the valley has not been materially effected. Only a new district of Srinagar city has been created and the reconquered parts of Muzafarabad District have been joined to Baramulla District. The Hindu Sikh refugees ~~of~~ Muzafarabad and Baramulla Districts have been refused to be rehabilitated in the Kashmir valley. These Districts formed part of the valley and these refugees had a right to be rehabilitated in the valley. They demanded as such but were refused and they have been forcibly rehabilitated on the borders of Jammu without giving them any arms to defend themselves. This, in short, is the 'SECULAR' policy of dogra.

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Shri Ram Nath Balgotra had then sent following letter to 'Hindu Madras' on Feb 6, 1953 ~~118~~ 119 :-

6th Feb. 1953

The Editor,
"Hindu"
Madras-2.

Dear Sir,

I am very thankful to you for your Editorial in your paper of 6th Feb. 1953 under the Heading "Jammu". Your editorial previously too of the 10th Jan. 1953 and April-June-July, 1952 have marked clear lining and vivid understanding of the problem. But for the incorrect appreciation of the warning of able and far sighted independent editors like your self and Mr. Tushir Kanti Ghosh, editor "Amrita-Bazaar Patrola" Calcutta, the tragedies, of indiscriminate, unjust, and mad firings at various places in Jammu Province on unarmed for the leaders, Statement, and politicians of Bharat to bring pressure upon the Government of India to realise the gravity of the situation and try to solve the question dispassionately in consultation with the accredited leader of Praja Parishad, Pandit Prem Nath Ji dogra. Commissions appointed cannot bear any fruit unless the party aggrieved is not given a patient hearing which the people of Jammu least expect from the personnel of the commission announced earlier by the Kashmir Government.

I enclose herewith a statement to disclose the hollowness of Kashmir Government declaration regarding the adjustment of the boundaries of various districts

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that appeared in your paper of 6th Feb.1953, on page 7 column 4,. I also enclose herewith the map of Jammu and Kashmir state and I hope that it will throw some light on the burning problem of the day for the guidance of your readers in particular and Indian public opinion in General.

Yours faithfully,

Sd/ R.N.Balgotra

Advocate

Publicity Secretary

All J&K PP, Jammu."

Dr. S.P.Mukerji, the then president of Bhartiya Jana Sangh, entered into a long correspondence with Pt. Nehru and Sheikh Mohammad Abdullah but nothing substantial came out.

It was during these days that Dr. S.P.Mukerjee was authorised by his Jana Sangh party either to seek redressal of the grievances of the Jammu people or to launch a Satyagrah in Indian in support of the Praja Parishad agitation[~~119~~ 120].

In his presidential address at the Kanpur session of the Jana Sangh Dr. S.P.Mukerjee said:

"....We are often told that if there is any undue pressure for the application of the Indian Constitution to Jammu and Kashmir, the Muslim of Kashmir valley may break away from India, this argument is totally intelligible. If our constitution had been so devised as to make Muslims feel nervous about their future fate or about possibility of their receiving equal treatment, one could have understood the force of the argument. When, however, that is not so, what can possibly be the ground for this hesitation?...Let me repeat and state categorically that

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I do not want Jammu and Kashmir to be partitioned. But if Sheikh Abdullah is adamant, Jammu and Ladakh must not be scarified but Kashmir valley may be a separate State within Indian Union receiving all the necessary subvention and being treated constitutionally in such a manner as sheikh Abdullah and his advisors may wish for ...[120] [12]

Finally, Dr. S.P.Mukerjee in his letter to Pt. Nehru on February 17,1953 which he had written to him in reply of his letter dated February 15,1953, offered the following 10 point formula[121] [122] for his consideration as first step for the withdrawal of Parishad agitation:-

1. The movement is withdrawn.

2. Order for the release of Prisoners is given and there will be no victimisation.

3. You and Sheikh Abdullah call a conference, say, after a fortnight where all political and constitutional matters are discussed with an open mind.

4. Both parties reiterate that the unity of the State of J&K will be maintained and that the principle of autonomy will apply to the province of Jammu as a whole and of course also to ladakh and Kashmir valley.

5. The new constitution to come into force as soon as possible and elections to take place within, say, six months.

6. Question of flag is to be clarified and Indian flag should be in used everyday just as is done in all other parts of India.

7. Implementation of the July agreement will be made at the next session of J&K Constituent Assembly after the issue left vague have been properly clarified. In respect of fundamental rights, citizenship, supreme court,

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president's powers, financial integration, conduct of elections, provisions of the Indian Constitution will apply. Exception, however, may be made with regard to conditions for acquisition of land.

8. The terms of reference of the commission of enquiry will be widened and all grievances will be examined by it.

9. The Commission now includes 4 persons, Chief Justice, Accountant General, Chief Conservator of Forests and Revenue Commissioner. The last three gentlemen are administrative officers under J&K State and they can hardly inspite confidence. The Commission should be reconstituted with 2 judges from India and the Chief Justice of J&K so that its impartiality and representative character may not be questioned.

10. Regarding finality of accession and other political matters, the Conference will consider these points from every aspect and agreement sought to be reached which will be in the best interest of India including J&K.

Pt. Nehru, however, did not respond to Mukerjee's offer to withdraw the agitation. The Parishad agitation was growing in its intensity. There was a danger of the movement erupting into violence. In order to prevent it Dr. S.P.Mukerjee deputed Mr. Trived and Mr. Deshpanda to Jammu to exert their influence to prevent this. But they were refused permission to enter Jammu and Kashmir. Mookerjee, therefore, decided to go to Jammu himself without applying for a permit. He pointed out "Mr. Nehru has repeatedly declared that the accession of the State of Jammu and Kashmir has been hundred percent complete.Yet it is strange to find that one cannot enter the State

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without a previous permit from the Government of India The permit is even granted to communists who are playing their usual role in Jammu and Kashmir, but entry is barred to those who think or act in terms of Indian Unity and nationhood. I do not think that the government of India is entitled to prevent entry into any part of the Indian Union which, according to Mr. nehru himself, includes Jammu & Kashmir of course, if anyone violates the law after entering any State, he will have to face the consequences.

123 122

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The following was Sheikh Abdullah's broadcast from Radio Kashmir Srinagar on April 18,1953 granting autonomy to the different cultural units of the State in the future constitution of J&K[124] :-

STATEMENT OF SHEIKH MOHAMMAD ABDULLAH

Srinagar

April 18,1953

Broadcasting from Radio Kashmir Srinagar, last night the Kashmir Prime Minister, Sheikh Mohammad Abdullah said< "We have decided to give autonomy to the different cultural units of the State as will be provided in the Constitution that is being drawn up. This will remove all the fears of

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domination of one unit over the other and will make for the voluntary unity and consolidation of the people of the state".

Commenting on the recent events in Jammu the Prime Minister said that during the past few months some deplorable events had taken place which ran counter to the basic principles on which the edifices of the State was being reconstructed after the disturbances of 1947. The section of the Jammu population which had been misled by the internal and external communal agencies find their enthusiasm and emotions damped now and I am glad to find that the people of Jammu have begun to realise the grave consequences of the recent agitation. All right thinking people are expressing regret over all that has happened. This unpleasant state of affairs has not only disturbed the peace and order of the province, but has seriously affected their business activities. The money which would otherwise be spent on the betterment and the welfare of the people had to be spent to meet the expenditure incurred on putting down the disturbance.

The Prime Minister deeply regretted the loss of some lives and other casualties resulting from the action which the police were forced to take on certain occasions as also the causalities suffered by the Police and the Magistracy. He regretted that these unhappy events should have taken place at a time when not only a democratic constitution for the State was being framed but also the Five year plan was being finalized. He said that the Government had thought of starting the work of reconstruction from that very province out at the time of opening of the Government offices at Jammu the Government

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had to face the disorder and disturbances. At a time when the law and order is being threatened it became difficult for a Government to implement the nation building plans. Sheikh Abdullah exhorted the people to fully cooperate with the Government in making democracy a success in the State. He said that the State was passing through a critical phase and any disturbance or disorder would not only be detrimental to the progress and the healthy growth of the State but will be suicidal to its freedom and security.

Sheikh Abdullah reiterating his faith in the common ideals based on secular democracy, Sheikh Abdullah said that the freedom and progress of the State depended on standing united in the field of action irrespective of caste and creed. At a time when the Indian subcontinent was torn by the communal forces, Kashmir presented at impregnable fronts the communalism and defeated the two nation theory. Having failed to decree the people of Kashmir Pakistan let lose hordes of free ... on the soil of the State. But the people of the State , irrespective of caste and creed stood as one man and refused to bow before the demon of communalism. They did not surface from the path of external brotherhood. "Inspired by the principles of brotherhood and religious tolerance we want ahead with some nation building reforms including abolition of Jagirdari and hereditary rule", he said.

Sheikh Abdullah said that in the present age of democracy the idea of class domination was pernicious and deplorable. "We are out to afford equal opportunities to all people so that each unit may progress in accordance with its cultural needs. We consider it a heinous crime to make any distinction on grounds of race colour or

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creed. We have, therefore, decided to give autonomy to the different cultural units of the State as will be provided in the constitution that is being drawn up. This will remove all the fears of domination by one unit over the other and making for voluntary cooperation among people of the State", he added.

Continuing, Sheikh Abdullah said that the future constitutional edifice of the State would be laid on the two principles of democracy and communal brotherhood. It was on these principles that the State's accession was made with India in 1947. "At that time only two courses were open to us to join India or Pakistan. Pakistan tried to coerce us but after due deliberation we acceded to India in the interests of the people. We felt that in principle there was nothing in common between the "New Kashmir" programme and the foundations on which the Pakistan leaders were trying to build their nation. We took this decision at a very critical time when communal fires in some parts of India had not died down".

The people of Kashmir cast their lot with the people of India to uphold and safeguard their freedom and cherished progressive ideals. This communion of ideologies resulted in the establishment of firm political relationship between the State and the Indian Union. Accordingly, an honourable place was given to the State in free India's constitution. In legal phraseology what was termed as Section 370 of the Indian Constitution, was a permanent and inviolable bond between the State and the Indian Union so far as human relationship is concerned.

Sheikh Abdullah made it clear that the State had acceded to India in three subjects viz. Defence, Foreign

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Affairs and Communications. With regard to the other subjects, he said, that under Article 370 of the Indian Constitution the State's Constituent Assembly was a sovereign body. The position was further clarified in the Delhi Agreement which was approved by the Indian parliament and the State Constituent Assembly. "The Instrument of Accession, Article 370 of the Indian Constitution and the Delhi Agreement of 1952 now form the basis of relationship between the State and the Indian Union. Both the governments are bound to implement and abide by them", he added.

Drawing a distinction between "integration" and "accession" the Prime Minister said that those who believed that Kashmir's accession meant merger with India were labouring under false notion. The people of Kashmir he said had no doubt acceded to India and the accession was complete in fact and law but the State had not merged with India. The purpose of the present relationship of the State with India was to bring the people of the two countries nearer each other. Ideological affinity based on union of hearts was essential for permanent relationship. Those who ignore this important factor in human relationship were putting the cart before the horse, " he added.

Referring to the Praja Parishad movement in Jammu, Sheikh abdullah said, that its leaders were trying to give communal colour to politics of the State. In view of the delicate nature of Kashmir question in the international field the activities of Parishad could produce disastrous consequences which would benefit Pakistan alone.

He appealed to the good sense of the people to be carried off their feet by the propaganda of communal bodies and exhorted them to realise their duty towards

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their motherland. "Uncertain conditions prevailing in the country have retarded our progress, but the government is determined to carry forward the nation-building programme. The Five year plan has already been drawn up and its success depends mostly on the cooperation of the people.

We have not only to rebuild our country but also to rehabilitate our mislead brethren intellectually and politically he said.

Sheikh Abdullah appealed to the people of Jammu not be mislead by those whose past is already soiled. He added that the people were once before mislead by the so-called leaders which resulted in a catastrophe. If the people of Jammu again allowed themselves to be exploited by the so called leaders, it would result in some grim tragedy. "I assure the people on my own behalf and on behalf of my Government that we shall forget this painful chapter, provided our basic principles are not impaired. We welcome any honest and constructive criticism because as human beings we do not consider ourselves unerring", he added. The Prime Minister said that the criticism should be such as would promote unity and not disruption. He assured the people that if they remained united, no body could harm them. "Let us therefore rise to the occasion, understand the realities of the situation and live together in mutual good will and confidence. Standing shoulder to shoulder let us march forward on the path of progress and stand guard on each others honour he said.

Addressing the people of Kashmir valley, Sheikh Abdullah said that the Praja Parishad movement was run by only those people who were the bulworks of the old regime or who were affected by the progressive policy of the present

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government or those who were communal minded. So far as the masses of Jammu were concerned, their problems were fundamentally the same as these of other backward people. "We should not class them with agitators and nor should we forget those Hindus and Sikhs who in the dark days of 1947 tried to save hundreds of destitute Muslim men and women by giving them shelter in spite of the grave dangers". He exhorted the people to stick to their principles and said that the events after 1947 had justified the choice made by the people of Kashmir, for the people of India in general rejected the communal outlook. In the recent general elections in India no communal body could enlist mass support". he added.

Addressing the people of Kashmir valley, Sheikh Abdullah said that the Praja Parishad movement was run by only those people who were the bulworks of the old regime or who were affected by the progressive policy of the present Government or those who were communal minded. So far as the masses of Jammu are concerned, their problems were fundamentally the same as those of other backward people. We should not class them with agitators and nor should we forget those Hindus and Sikhs who in the dark days of 1947 tried to save hundreds of destitute Muslim men and women by giving them shelter in spite of the grave dangers. He exhorted the people to stick to their principles and said that the events after 1947 had justified the choice made by the people of Kashmir for the people of India in general rejected the communal outlook. In the recent general elections in India no communal body could enlist mass support. he added

Expressing deep sympathy with the Kashmiris on the

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other side of the Cease-fire line, Sheikh Abdullah said: "We are anxiously awaiting the day when the territorial integrity of the State will be restored and Lakhs of our uprooted brethren may resettle in their own home and live peacefully:. He exhorted them to arise and awake and now to allow themselves to be exploited any further by their so-called leaders who were responsible for all their misery and suffering and added that if they did not rise to the occasion, there could be no hope of their securing freedom from the present misery.

While commenting on an editorial appeared in "The Tribune" on 21.4.1953 in defence of Sheikh Mohammad Abdullah's policies in the State, Mr. Nariana Das had written following letter to the Editor of the paper on 29.4.1953[125]:-

Mr. Nariana Dass 'Letter to The Editor, The Tribune, Amballa Cantt.

The Editor,
The Tribune,
Amballa Cantt.

Dear Sir,

Your Editorial in defence of Sheikh Abdulla's Appeal published in your paper dated 21.4.1953 is atonce informative and suggestive. It shows that you yourself are not sure about the correctness of the stand taken by Sheikh Abdulla Government for accession of the State 'for a limited number of the subjects'. And at the same time the argument advanced is not understandable. The flexibility to be adopted in the Constitution by conventions will even to yourself it horrible results. Such flexibility principle will lead to the fragmentation of the country which will

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not be feasible both from economic and administrative point of view.

You have supported the 'Gratuitous' grant of Sheikh Abdulla of autonomy to 'Cultural Units'. What is culture? Has a Nation different culture?Or is India a land of different Nations. Nation has always only one culture. The cultural division of the state is the acceptance of the principle of the state being composite of different Nations. This splitting of the State into different so called cultural units will not be a sound solution of the problem and will not end the present political impasse but will lead to further troubles more harmful to the cause of the voluntary than it is intended to remedy.

Unfortunately the practice of calling names or attribute motives to those who honestly differ from the view point of the party in power has become a universal rule in the country. The Indian Prime Minister does not spare any opportunity let go than he should not abuse his political opponents. In the same tone you too accuse that 'the Praja Parishad leaders are clearly asking for the applications of the two nation theory to the state is directly or indirectly pressing for the partition of Jammu and Kashmir State. It displays that either the real implication of the agitation are not understood or it is deliberately done to cloud the real issue.

The Indian Prime Minister Pandit Nehru is following the policy of surrendering to Muslim Communalism by granting a special status to Kashmir because of its being predominant Muslim area and you knowingly fully well it to be wrong support it with the expression 'If for certain reasons'. What are those reasons? Having failed practically to

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bring Kashmir state completely integrated like all other states you like Pandit Nehru shift the burden on to others and charge them communal and 'directly or indirectly pressing' for the partition of the state. Who is asking for the application of the two Nation theory?If'A Constitution, a Flag, and an anthem, these three sum up a Nation'(Page, Our National Song government of Indian Publication) is a good principle for the rest of India any variation of this principle of granting a right to have a separate constitution to a section of Indians (For Kashmiries have very often been declared to be Indians both by Pandit Nehru and Sheikh Abdulla) is the adoption of three nation theory in practice and it is shameful to cast malignantly the burden of its demand on others.

Yours faithfully

Nariana Dass

B.A.L.L.B

31, Kachi Chowni, Jammu.

told here

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Sh. Ram Nath Balgotra had then sent following letter to the Editor Hindustan Standard" New Delhi on 5.5.1953[123] :- 12-6

The Editor

Hindustan Standard,

Delhi.

Dear Sir,

Shree Ghulam Moh'd Sadiq, president so called Kashmir Constituent Assembly while addressing sponsored Democratic Youth League Convention in Jammu on 2nd May, 1953 reported in your paper on 3rd May, 1953 described Parishad leaders "traitors" we challenge Shree Sadiq an avowed communist to prove the charge before any court of law. It is not fair on the part of the responsible persons like sh. Sadiq to make such wild allegation and charges against his political opponents. If the previous and present history of Shree Sadiq is reviewed and analysed the charge will fit in for Mr. Sadiq himself. The memory of Shree Sadiq's and his leader Sheikh Abdullah's intrigues with the British Imperials to create communal troubles in the State in 1931 at the time when the Government of India wanted to penalize the Maharaja for his bold patriotic stand in the Round

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Table Conference is still fresh to the people. It was a time when the British Imperialists instigated and finance the communal riots throughout India to bring the Congress Civil disobedience movement of 1931-32 to a sad and miserable end. It was the beginning of Shree Sadiq and his leader "National Struggle". Was it patriotic or treacherous? I leave it for your readers to decide.

Again in 1947 when the Maharaja was communicating with the Government of India for accession of the State, Shree Sadiq and his other companions went to Pakistan for consultations for accession of the State to Pakistan. He went their at the behest of his leader Sheikh Abdullah and the communist party of India which stood for the partition of the country.

There are other happenings and incidents also connected with Shree Sadiq which abundantly prove that his malicious charge against his opponents suit best for himself.

Yours faithfully

sd/ Ram Nath Balgotra

Mascot Garh, Jammu-Tawi

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Dr. S.P.Mukerjee, alongwith U.M.Trivedi the then M.P. and Vaid Guru Dutt left Delhi for Jammu on May 8, 1953. On May 10,1953 when they were passing through Punjab enroute to jammu Mukerjee received a message from Sheikh Abdullah saying his visit to jammu would be inopportune. Nonetheless they proceeded and the moment they crossed the Ravi at Madhopur at 4 P.M. on May 11,1953 they were arrested under Public Safety Act and Mukerjee placed under house arrest at Srinagar~~126~~ 127. His arrest had added fuel to the fire. The agitation took such a serious turn that it almost paralysed the entire State apparatus. Almost every part of Jammu region, from city to village was vibrant with mass upsurge. Chamb, R.S.Pura, Sunderbani, Samba, Akhnoor,

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Jourian, Kishtwar, Hiranagar, Udhampur, Basohli, Reasi etc. were places where people were killed and injured by firing. Lathi charges on processions had become a normal feature of life[127]. Since the agitation had attracted popular support of almost all non-Muslims from every part of India, it had shattered the Sheikh's faith in Indian secularism. He advised the people of Kashmir not to get upset over the agitation of the reactionary communal forces in Jammu[128]. He said:

> "We faced and weathered many storms and were successful and we shall weather this storm as well. When the people of Kashmir had met the challenge of the Muslim League and Muslim National guards, they would not be afraid of the challenge of the Praja Parishad and other communalists, who were really the 'Muslim National Guards' in Hindu Garb".

In his public speech Sheikh Abdullah warned India of grave consequences if the Hindu communalism was permitted to continue its virus against Muslims. This attitude of Sheikh Abdullah was not liked by the Indian leaders. Even Maulana Abul Kalam Azad was sent to Kashmir to persuade him to be moderate in his criticism of Hindus and not to take the matter to the extremely.[129]

Mukerjee feel ill shorty after his arrival at Srinagar in custody. He complained of pain in his right leg in later May, 1953. He developed a fever and chest pain which was diagnosed 'dry pleurisy' on June 22,1953. He was removed from the cottage to the State Hospital in Srinagar. At 4.30 a.m. on June 23, 1953 he got sudden heart attack

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After the death of Mukesjee there abruptly occurred a change in the attitude of the Congress Government, headed by pt. Nehru. For the first time pt. Nehru realised that large number of people in Jammu had suffered and that "whatever our countrymen suffer, we share, to some extent - that suffering." In an appeal he advised the Praja parishad leaders to end the conflict and return to the normal ways of peaceful and cooperative politics. Meanwhile, Sheikh Mohammad Abdullah had a prolonged discussions with Adlai Stevenson – a democratic leader of U.S.A, who visited Srinagar. It was said that the two leaders had thoroughly discussed the Kashmir problem and one of the alternative solutions concluded was the possibility of an independent Kashmir with an international guarantee by Big powers.

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and died. As a result of his sudden death the whole of North India was plunged in profound grief and submerged by a kind of anti Nehru and anti Sheikh wave. Praja Parishad refused to believe that death occurred in natural circumstances[130]. The ramblings of similar reactions were also heard in the Frontier district of Ladakh.

Mukherjee's death and the circumstances surrounding it, had given rise to many rumours that he was murdered that when he became sick was allowed to die. Pt. Prem Nath Dogra and other India leaders accompanied the dead body of Dr. P.Mukerjee flow to Calcutta, his home town. In the middle of air journey, Pt. Prem Nath Dogra was dropped at Udhampur. He was then taken to Delhi, where D.P.Dhar, the then Dy. Home Minister of the State wanted to negotiate with him for the withdrawal of the Praja Parishad agitation. But Pt. Prem Nath Dogra refused to negotiate with him as he was only Deputy Minister. As a result Bakshi Ghulam Mohd. the then home Minister of the State flew to Delhi and met him and pressurised him to withdraw the agitation. Keeping in view the changed circumstances he made certain commitments[131]. Moreover, as a mark of respect to the departed soul, Pt. Prem Nath Dogra called off the agitation for thirteen days to express grief and sorrow[132].

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The following speech had been made by Pt. Prem Nath

shifted at page on P-36 full text.

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134

Dogra on 27.7.1953[138] :-

SPEECH OF PT. PREM NATH DOGRA PRESIDENT ALL J&K PRAJA PARISHAD ON 27.7.1953 IN THE PARADE GROUND

I am happy to be back with my people after 8 months absence. It was a period of trial for us. We had voluntarily taken resort to the path of self sacrifice and suffering for the vindication of our right to live a life of honour and security in our own homeland as a component part of India. The way you have passed through this trial makes me proud of you what I have seen and heard about the way you conducted the Satyagrah after my arrest has convinced me that the future of our state is secure. Our satyagraha has no parallel in the history of satyagrahas. For eight months two governments had let loose their barbaric force to crush you. But they have not been able to crush you. Rather they have been vanquished. You stand victorious.

Today the whole country is full of praise for you and the brave fight you have given to the forces of separatism and disruption. I had the opportunity to visit a few important places in north India during the last few days. Every where I found tremendous enthusiasm and genuine praise for you people. Your sacrifices have made your cause the cause of whole of India. The conscience of the whole country including the power that be in New Delhi has been stirred and they have realised and admitted the justice of our cause and the patriotic motives that impelled us to launch our satyagraha.

What did we fight for? Our struggle was aimed at bringing Jammu and Kashmir state close to India of which it has all through the ages been integral part, geographically historically as also culturally. This was

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necessitated by the separatist policies of the Government of Jammu and Kashmir which were aimed at driving a wedge between the State and the rest of India. Our demand was logical and patriotic. It flowed from the fact of accession of the State to India. We were opposed to the policy of reducing that accession to a dead letter speedily cutting at the roots of State's unity with India. Government of India in their indulgence for Sheikh Abdullah failed to see the dangerous implication of that policy inspite of our repeated protests, requests and warnings. They did not pay any heed to the administrations of a patriot like Dr. Shyamaprasad Mookerjee eve. But I am happy to tell that it has been proved beyond doubt that we were on the right. The whole of India has now awakened to the dangers of systematic separatism of some Kashmiri politicians. It is now admitted at all heads that our movement was neither communal nor reactionary but was an outcome of the patriotic urge of the people of the state to be one with India.

That is why overtures were made to us to stop the satyagrah. I was taken to Srinagar to have cumulation with Dr. S.P.Mookerjee. Pt. Nehru who for three long years refused to talk to your representative and spoke fare against to day in and day out, stepped out of his shell of self complacy and appealed to us for cooperation and for cessations of Satyagrah. He called us and heard our view point. It was a close victory of you people. It shows that you cannot be ignored, that you have made your existence felt. I wish he had done this a month earlier. That might have saved the country from the great tragedy of Dr. Mookerjee's death. But still it is matter of satisfaction

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that light has dawned upon Pt. Nehru after all.

I had talk with some other ministers of the Central and Kashmir Government as well. I do not think that I am divulging anything if I say that they have begun to appreciate our view point. The dangerous results of the policy of drift in regard to kashmir have already begun to manifest themselves. And they have forced them to pay heed to our warnings which had gone undecided so far. India's stake in Kashmir is high. She cannot afford to bungle these any move. And I hope that steps to end the dangerous suspense about the future of the state will be soon taken. Jurisdiction of Supreme court, fundamental right and financial integration of the State with India are natural corollaries of State's accession to India and I am confident that the state will have the benefit of them very soon.

Definite steps will also soon be taken to remove the economic and other grievances of the people within the state. Some of them have already been taken. Something has been done to rehabilitate ex-service men, remove controls etc. The report of the Wazir Committee which was set up as a result of our satyagrah has vindicated our stand about land reforms and other economic policies of the Government.

We have stopped our satyagraha to give time to Pt. Nehru and Kashmir Government to set things right. The same patriotic motives which impelled us to launch the satyagrah 8 months age have now impelled us to stop it even though we had the strength and determination to carry it on for many months more. During this period Kashmir problem which had already become complicated has become delicate. Our warnings and worst fears have come true.

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Persons masquerading as India's friends and followers of Mahatama Gandhi have come out in their true colours. They have begun to flirt with the idea of independent Kashmir for the fulfilment of their own ambition. They have forgotten how this independence brought obstructions to Kashmir in 1947. We are and have been opposed to it whether it comes from pt. Ram Chand kak or Sheikh Abdullah. I want to appeal to my Kashmir brethren not to be exploited by such false cries. They will land them in trouble.

It is wrong to suggest that our movement was aimed against Sheikh Abdullah or Kashmiris as such. We have always looked upon Kashmir as an integral part of the state within India. We extended our fullest cooperation to Sheikh Abdullah when he was installed in power. It was unfortunate that he misconstrued our willing cooperation for the common and of unity with Hindu to be our weakness. I am sure he has now realised our strength. I want to assured him that we want to be his friends provided he gives up his separatist policies. Let him be Indian first and Kashmiri or Muslim afterwards and we are with him.

The suffering undergone and the sacrifices made by you people during the satyagrah have been immense. You have faced bullets and braved all the engines of reprocession in the armoury of Kashmir and Indian Police with most commendable courage, restraint and discipline. By committing crimes against women the state Government has proved that it is not fit to be called a civilised government., You had the power and ability to give them blow for blow. But by suffering non violently you have proved that you are true satyagahie.

But the greatest sacrifice for our cause was made by

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Dr. Shyama Prasad Mookerjee who died a martyr death in Srinagar Jail. In his death the country has paid the greatest price for Jammu and Kashmir's unity with India. The people of state will ever remember him. We will carry on his mission. It is also our desire to build befitting memorial to his memory at Jammu and Srinagar. I hope the people of the state well contribute liberally to Dr. Mookerje memorial fund when appeal is made for it. We are also one with the rest of India in the demand for an impartial enquiry into the mysterious circumstances in which Dr. Mookerji died.

The immediate task before us now is to reorganise ourselves. The people are with us. They have proved their faith in Praja Parishad by standing by it in thick and thin. Their strength and energies have now to be diverted to constructive work of removing poverty, disease and ignorance. The Kandi area of our land is most neglected. It needs have to be looked into. The Praja Parishad will soon set up a committee to make a social and economic survey of the Kandi ilaqa. I will appeal to my follow workers to make a cooperative effort in their perspective sphere to ameliorate the lot of he people and share their suffering. Service of the people in the real measure of our strength. We must now commensurate on educating them so that they may be able to discharge the responsibilities that are soon going to devolve on them in a worthy manner.

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Pt. Prem Nath Dogra, however, written following letter 135
to Sheikh Mohammad Abdullah from Jammu[136] :-

Pt. P.N.Dogra's letter to Sheikh Mohammad Abdullah.

ALL JAMMU AND KASHMIR PRAJA PARISHAD, JAMMU

August----1953.

Since the day of my return to Jammu I have been receiving detailed information about the atrocities committed by Police and Militia in different parts of Jammu. The Information has been coming both from the victims of the atrocities and highly respectable and responsible unattached persons. It shows that there has been large scale looting of the villages in tehsils of Jammu, Akhnoor, Nowshera, Rajouri, Reasi, Ramban and Basohli by the Police and the Militia. People of the villages were literally forced out of their homes and they had to stay for days and weeks in outlying jungles leaving all they possessed to the mercy of custodians of law and order who behaved as worst brigands and free looters.

The arrested satyagrahies were invariably subjected to merciless beating and torture in and outside the police lock ups before their conviction. The victim of police

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firing were treated in a most barbarous way. I have cases before me where lives of some persons injured by bullets could have been saved had medical aid been given to them. But the authorities not only did not give any medical aid to them but also prevented others from doing so.

The worst part of these atrocities is the crimes against women. I have got definite information about criminal assault and rape of innocent girls and women by very responsible police officers of the State not to speak of ordinary constables who were encouraged to do such things by giving to them spirituous drinks before they set out on their head hunting expeditions.

These are things which must shake the conscience of any civilised person. The resentment these happenings have created in the minds of the people of Jammu is both natural and intense. In the interest of justice and morality as also for pacifying the minds of the people it is essential that Government should set up an impartial commission of enquiry presided over by a Supreme Court judge to investigate into these atrocities. This is a most urgent matter and does not brook any delay.

I do not want to do any thing at this juncture which may embarass the Government. But justice must be done to pacify the people whose suffering has been so great. Further the criminal officers will continue to harass people to fabricate evidence in their favour till such an enquiry begins.

I also want to avoid any untoward incident which may take place because of the universal resentment against such criminal officers.

I therefore, plead with you to take early steps in the

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matter.

I expect an early intimation from you in this connection.

Sheikh Mohd. Abdullah
Hon'ble Prime Minister
Jammu & Kashmir State
Srinagar

Yours
sd/Prem Nath Dogra
All J&K Praja Parishad,
Jammu.

Copies submitted to:

1. Bakshi Ghulam Mohammad, Hon'ble Minister, Jammu and Kashmir State.
2. Shree Jawahar Lal Ji Nehru, Hon'ble Prime Minister of India.
3. Dr. Kailash Nath Katju, Hon'ble Home Minister of India.

for information and favour of early necessary action.

After the death of Mukerjee there abruptly occurred a change in the attitude of the Congress Government, headed by Pt. Nehru. For the first time Pt. Nehru realised that large number of people in Jammu had suffered and that "whatever our countrymen suffer, we share, to some extent, that suffering". In an appeal he advised the Praja Parishad leaders to end the conflict and return to the normal ways of peaceful and cooperative politics. Meanwhile, Sheikh Abdullah had a prolonged discussion with Adlai Stevenson- a democratic leader of U.S.A. who visited Srinagar. It was said that the two leaders had thoroughly discussed the Kashmir problem and one of the alternative solution concluded was the possibility of an independent Kashmir with an international guarantee by Big country.

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Sheikh Abdullah was suspected of a 'mischief' which the Government of India was not ready to permit him at any cost. His removal was the only way out of national interest was to be saved by means of keeping the State of J&K safe in Indian grip[133]. The orders of the dismissal of his ministry were issued by the Sadar-i-Rayasat and were served to him on August 9, 1953 at Gulmar[134]. On the other hand the Parishad leaders seemed to be satisfied with the

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dismissal of Sheikh Abdulla's ministry and his subsequent arrest on August 9,1953. They promised to support to the then newly constituted State Ministry headed by Bakshi ghulam Mohammad. The force and intensity of the agitation was, therefore, relaxed. On July 7,1953 the party officials announced that agitation was called off temporarily with the hope that the grievances of the people of Jammu would be redressed and their demands met by the then new Government headed by G.M.Bakshi[135].

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The Praja Parishad also resolved to continue to press for the full accession of Kashmir to India. Pt. P.N.Dogra and G.M.Bakshi the new P.M. of the State however agreed in December 1953 to drop the Satyagraha, withdraw the cases against the demonstrators and restore their civil

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rights. The Parishad leadership actually fell in the trap of Bakashi, who required their support to consolidate his own position particularly in the valley[139].

While commenting on G.M.Bakshi's exclusive interview with the correspondent of News agency (I.P.A) Pt. P.N.Dogra said[140] :-

PT. PREM NATH DOGRA'S STATEMENT

Jammu-31st August: while commenting on Bakshi Ghulam Mohd's recent exclusive interview with the correspondent of a News Agency (I.P.A.) and later circulated through the Kashmir Govt. Information Bureau the J&K Praja Parishad Chief Pt. Prem Nath Dogra said here today, "In this interview Bakshi Ghulam Mohammad has laid bare his real intentions with regard to Kashmir's position in the Indian Union that he is not prepared to be treated at par with of the States of India, should be now abundantly clear even to those who had developed a sort of blind faith in his oft repeated slogans about National Integration". Dogra added that far from bringing Kashmir closer to the rest of the country bakshi Gh. Mohammad has even disapproved the suggestions about National Conference integration with the India National Congress on the plea of "its own special traditions and certain sentiments of its followers". It should not be difficult for anybody to read between this lines. National Conference has in fact lost hold on the masses because of such anti-national sentiments of its leadership.

Praja Parishad Chief said "Bakshi's assertion that Kashmir is still very much an international issue, runs counter to his own previous declarations that Kashmir has linked its destiny arrived with India and that there was now no Kashmir problem except that of recovering our

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territories illegally held by Pakistan and China. His latest approach definitely smacks of black mailing and refutes the very basis of India's stand at the United Nations.

Pt. Dogra expressed surprise that Kashmir Premier's reference to sheikh Mohd Abdullah as "still posing a serious political problem for the state which cannot be dealt with purely as a law and order question" is most unfrotunate. Can there be worse confession about the miserable failure of the government to create feelings of certainty and stability in minds of the people? But this confession also seems more political and diplomatic than reality. Referring to bakshi abrogation of Art. 370 of the Indian constitution, leader said, "His opposition to abrogation of Art. 370 never in doubt despite categorical assertion by the Prime Minister Jawaher Lal Nehru that this Article was going to become redundant with the passage of time. What is shocking is that he should now link up the validity of the accession of the state to the Union with the transitional provision of the Indian constitution. (In his interview Bakshi Ghulam Mohd had said", Art. 370 Bakshi, Sahib pointed out, gave validity to this state's voluntary accession to the Indian union as determined by the freely elected constituent assembly of Jammu and Kashmir). There could be perhaps no worse example of political opportunism".

Pt. Dogra stated "Bakshi has boasted about having weakened Praja Parshid which he has dubbed as communal. I may assure him that his such claims are going to deceive him alone. Praja Parishad is an organisation of trid tried patriots out to fight to last against elements which have

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no faith in politically strong, economically progressive and socially upright Indian nation.

Pt. Dogra further said that Bakshi's emphasis "Under his leadership his party had fought communalism in these state, when in other parts of the country, rightist and communal parties had gained ground" is the same tone of talking as the leaders of the ruling National Conference had been using the change of 1953 to misguide and arouse the communal frenzy amongst the Kashmir Mulsim against India.

Date:

Gopaldas Sachar,
Publicity Secretary,
J&K Praja Parishad, Jammu.

Pt. P.N.Dogra had sent following letter to G.M.Bakshi[141]:-

PT. P.N.DOGRA'S LETTER TO MR. G.M. BAKSHI DATED 1.2.1954

JAMMU & KASHMIR PRAJA PARISHAD

Central Office: JAMMU

No. 11/CPO Dated 1.2.1954

My dear Bakshi Sahib,

this is to remind you of my talks with your earlier wherein you extended to me certain assurances in respect of the framing of a constitution for the State.

The question of the constitutional set up in the State and its relationship with India is of vital importance to us as a political party and as representatives of the Jammu province. We would, therefore, like to be associated with the constitutional discussions. It is, however, not our intention to embarass you or to add to your difficulties. But we should be failing in our duty to the people here and in India if we do not exercise our democratic right go

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impress upon you the aspiration of the Jammu people and to urge you to incorporate their views and demands in suitable terms in the constitution of the State.

I would, therefore, feel obliged if you give an opportunity to discuss things with you in order that we may come to a unanimous agreement on the constitutional question.

Such an interview shall moreover, lead to the lessening of internal tensions and pave the way for smooth acceptance of the decision proposed to be taken.

I can assure you that I shall always endeavour to reach reasonable compromise so that we can pull jointly through this national crisis. I am also of the view that Government also on its part should not do things in a way that makes our position difficult before people.

Yours Sincerely,

Sd/Prem Nath Dogra

Hon'ble Bakshi Ghulam Mohd,

Prime Minister

Jammu and Kashmir Govt. Jammu.

On February 6,1954. However, the constituent Assembly of the J&K had ratified the State accession with the Indian Union entered by Maharaja Hari singh a way back on October 27,1947.

Just after the endorsement of the accession with the Indian Republic, the General council of the All J&K praja Parishad adopted the following resoltuion[142]:- 143

THE RESOLUTION OF THE ALL J&K PRAJA PARISHAD OF FEB. 1954

To endorse the accession issue which had been completed with the Maharaja's signing of the Instrument of accession,

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a Constituent Assembly was convened. The elections for the said were held, circumstances were created to confirm the belief that they were not being conducted in a free atmosphere. The Praja Parishad had to boycott it because there was no alternative in these circumstances.

The General Council demands that since the purpose of the constituent Assembly has been fulfilled. New elections be held affording opportunity to every individual citizen in the State to take part in the legislature of the state.

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The second report of the Drafting Committee of the State Consembly was submitted by Mr.. Mir Qasim on Feb, 11,1954 It was non else then the draft constitution. It was based on the decisions taken by the consembly, on the reports of the basic principles committee, the Advisory committee on Fundamental Rights and Citizenship and such other decisions as were taken from time to time.

[illegible] added. Nevertheless in view of

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Pt. Prem Nath Dogra, then wrote a letter to bakshi ghulam Mohd. The Prime Minister of the State on 13th February, 1954 in which he, once again explained the stand of his party and his objections to the proposed report of the Drafting committee. He stressed that his party was and had always been for the full application of the Constitution of India to the State. Even the Delhi Agreement never satisfied them, he added. Nevertheless in view of

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International situation and other factors, he stressed, they had been giving full support to him and his government. He pleaded that the proposed report of Drafting Committee was far from satisfactory. He made him remember that when he submitted certain shortcomings in the reports of Basic Principles Committee and the Fundamental Rights Committee he had assured him that the final draft would be perfectly in accordance with the letter and spirit of the Constitution of India, with the exception of protection for Land Abolition laws and the superior rights for the permanent Residents in matters concerning acquisition of immovable property and employment in govt. service. But the provisions in the proposed Draft report fell short of even the matters agreed upon Delhi Agreement. He objected to the proposed indirect election to the Parliament, the denial of special leave by the Supreme court curtailment of people rights and circumscription of the application of India Constitution and whittling down the fundamental rights in a variety of ways.

He accused that the whole thing was being rushed through the Consembly without giving adequate opportunity to the Public for expressing their opinion and making suggestions for improvement of the Draft Constitution.While concluding he requested him to go through the proposed draft very carefully and remove the defects to allay public apprehensions. Pt. Mauli Chandra Sharma, the President of All India Bharitya Jana Sangh, pointed out Jana Sangh's right objections to the proposed Kashmir constitution. These were summed up as under:

The relationship as envisaged in it left much to be desired and it was doubtful whether it would satisfy the

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aspirations of the people of the State, who had been struggling for the last six years to be one with their Indian brethren as also of the people of the rest of India who had been making all kinds of sacrifices for the security and welfare of the State. A glaring flaw was that it conceded to the State the right to discriminate against the citizens of the rest of India in the matter of entry, residence, employment and acquisition of immovable property in that State. By creating a category of Permanent Residents of the State as distinct from other Indian citizens a Dual Citizenship had been brought into existence in that State which was opposed to the very basis of their constitution.

The provision for the nomination of the State Representatives to the Parliament on the recommendation of the State legislature instead of their election by a direct vote of the people as in order States, deprived the people of the State of their basic democratic rights as Indian citizens. Why should the State have its own Election commissioner and its own census operation?The extension of the jurisdiction of the election Commission of Indian to the State was essential not only to create confidence in the people about the fairness of the elections there but also to make them feel that they were the citizens of India.

Another objectionable provision was the right given to State Legislature to permit and regulate the entry of those who had left the State and gone over to Pakistan. Such movement of individuals or groups between India and Pakistan must be regulated by the Central Govt. and should not be left to individual states.

The provisions about Fundamental Rights and extension

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of jurisdiction of the Supreme Court also left much to be desired. The rights given to the State Legislature to abridge the fundamental rights of the people of the State under the excuse that a part of that state was under Pakistan's occupation, was not convincing at all. It only confirmed the genuine fears of the people in and outside the State that the State was sought to be run on totalitarian lines.

By leaving residuary powers with the State and abridging those which had been given to Centre, the President's order had not succeeded in terminating the anomalous position of the State as a Unit of India. It had in it the germs of a danger which the Government of India ought to have visualised in the view of their recent experience.

Mr. N.C.chatterji, the President of Akhil Bharat Hindu Mahasabha, while pointing out some lacunae in the State Constitution said that the defined function of the Supreme court of India in Kashmir was to achieve cohesion in the field of law and justice. The great drawback was that serious encroachment had been made both on civil liberties and on the sanctity of property, he added.

It was a matter of regret, he said, that Art. 136 of Indian Constitution had not yet been applied to the State, and that no citizen of the State could apply to the Supreme Court for Special leave against the judgement of local High court.

Moreover, Art. 19 of the Constitution of India which guaranteed basic human rights had been made practically mitigagory in kashmir because of a special rider which made existing Legislation abrogatory of fundamental rights not questionable in the court of law. Again the denial of

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any compensation to expropriated owners practically amounted to naked confiscation and that was against the spirit of the Constitution of India.

The demand of the people of Jammu for provincial autonomy was ignored, he added. He further pointed out that even Hindi, the national language was not receiving due recognition.

The critics of the work of the State Consembly and the Constitution it was hammering into shape, were opposed to the special status and privileges accorded to J&K as a constituent unit of the Indian Union. In particular they did not approve of the curtailment of fundamental rights (as given in the Indian Constitution) in their application to the State; some restricts on the jurisdiction of the Supreme Court in relation to the State; a dual citizenship for "permanent residents" of the State'; a blanket permission to return to the State, for the States' migrants to Pakistan;distribution of land to the tillers, without any compensation to the owner thereof; the exclusion of the jurisdiction of the Union Election commission over the State as also that of auditor and Comptroller General of India, and the like.

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While criticising the various sections of the Draft Constitution of the State as proposed by the Drafting committee, Pt. P.N.Dogra had submitted following memorandum to President of India on 1.4.1954[143]

PT. P.N.DOGRA MEMORANDUM TO PRESIDENT OF INDIA REPUBLIC

DATED 1.4.1954

HIS EXCELLENCY THE PRESIDENT OF INDIAN UNION,

NEW DELHI.

May it please your Excellency,

In connection with the Constitutional proposals which have been recently made by the J&K State authorities to the Central Government, this representation is most respectfully submitted on behalf of the Praja Parishad of that State for your Excellency's kind and sympathetic consideration.

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II. There is no doubt that these proposals constitute a little advance on the existing position. And, coming, as they do, in the wake of the decision of J&K Constituent Assembly to confirm and finalise the accession of this State to the Indian Union, they have been welcomed not because they take us for towards our goal, but because they seem to have been conceived in a different spirit from that which animated the Abdullah Government.

III. Amidst this chorus of praise it seems almost churlish to strike the jarring note of critical appraisal, but this is a duty which the Praja Parishad owes to the People whom it represents. They have consistently demanded that the Indian Constitution be made applicable to this State just as it applies to the other Part B states. In the pursuit of the objective they have undergone great sacrifices and sufferings, being convinced that without achieving it, there can be no peaceful and honourable life for them in this state. They were led to entertain certain hopes by definite assurances, but these proposals do not come anywhere near their fulfilment. Consequently, the people affected by them have on the whole received them with mixed feelings including those of frustration.

IV. In certain circles there is a tendency to dismiss the demand mentioned in the preceding paragraph as a problem for legalistic or academic discussion and to ignore its human aspects, but those who have raised it are indeed earnest about it. To them it is a matter of life and death and they are determined to persist in it regardless of the sufferings and sacrifices which this courses might entail for them.

V. It is a pity that the Central government have never enquired from the proper quarters why this demand is

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being made and how far it is justified. On the contrary, they have been more responsive to the opposite demand of the National Conference leaders, which is to the effect that this state should have a special privileged status different from that of the other 'Part B' State. The wonder is that it has never occurred to the otherwise wide awake Central government that, in the ultimate analysis, both these demands, so contradictory in their formulation and intent, really spring from similar apprehensions. But the fears of the Kashmiri leaders are wholly baseless, because admittedly they have received the most generous treatment from the Government and the people of India during the last six years and more. On the other hand, the apprehensions of the Jammu people are fully justified by the experience they have had of "So called Popular rule" during the same period. They have been reduced to the level of political untouchable in their homeland. Their genuine voices has been effectively shut out from the Constituent Assembly. The government formed by the Conference Party is neither responsible, nor responsive, to Jammu people. The doors of Government services are closed to them, and those already in service are being pushed out. The administration is corrupt and inefficient and it is difficult for the common man to obtain redress in the ordinary course. Naturally the Jammu people seek the protection which some provisions of the Indian Constitution, and some organs of the Central authority, might possibly afford them. But the Kashmiri leaders desire to retain the best of both worlds, they demand autonomy for themselves in relation to the central authorities of the Indian union and at the same time they stick to

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undiluted autocracy in the shape of an unalterable fixed majority in relation to the Jammu people. In fairness they should accord the same treatment to the latter and is demanded by them for themselves from the Indian Union. This legitimate demand of the Jammu people is sometime ignored on the false plea that it is confined to reactionary, communalist, and vested interests.

VI. The problem that has arisen between Jammu and Kashmir is essentially the same problem as has emerged between the whole state and the Indian Union. And fortunately it is also the problem that the Indian constitution was devised to solve. Its wise framers were faced with the rival claims of competing elements in the body politic and they arrived at a nice adjustment of those claims in the frame work of that constitution. This nice balance and adjustment makes it eminently fitted to provide a solution of the essentially human problem that faces us in this state. This is a strong reasons why a solution of this problem should be attempted by applying the Indian Constitution in its entirety to this State.

VII. Viewed against the above background the unsatisfactory character of the new proposals become quite apparent, in-as-much-as they disturb the nice balance of adjustments that the Indian Constitution in its entirety was intended to be. They mutilate its organic unity without leaving a fair working arrangement. They seem to have been cleverly devised in order to achieve the following objectives, namely:-

i. To retain as much power as possible.

ii. To part with as little of it as might be inevitable.

iii. To let qualifications and exceptions swallow what

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is conceded.

iv. To make the powers retained the close monopoly of an unalterable fixed majority and

v. To ensure that the resulting set up shall not be allowed without the consent of that majority.

VIII. Some of the expedients adopted by the framers of those proposals in order to achieve the above objectives are mentioned below:

1. Fundamental rights have been wittled down and reduced to a mockery.

2. The jurisdiction and powers of the Supreme Court have been curtailed to prevent effective enforcement of fundamental and other rights.

3. Full control over the State High Court has been retained in order that the local judiciary may not become truly independent and embarrass the executive authorities.

4. A sort of dual citizenship has been created, within the Indian Union to its eternal home and humiliation.

5. One way traffic from Pakistan in the matter of settlement within this State has been provided for

6. Direct elections to the House of the people from the State have been avoided, in order that the authentic voice of the people of this state may not be heard even in the Indian Parliament

7. The powers vested in the central organs of authority in the Indian Union in relation to the other "Part B States" have been curtailed even in matters of common and national interests where uniformity of action is necessary.

8. The status of the Sadar-i-Rayasat has been made inferior even to that of a Governor, and his position precarious by leaving him at the mercy of prejudiced and

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an unalterable fixed majority in the local legislature.

9. Even the Delhi Pact has not been fully implemented.

10. Certain provisions of the Indian constitution which are applicable to this state at present are proposed to be repealed.

11 ~~ii~~. The capacity and powers of the Indian Union to take prompt and effective action in relation to this state at times of emergency have been crippled.

12 ~~13~~. Provisions relating to effective and independent audit and financial control have been omitted and

13. Drastic and confiscatory "lawless" law are proposed to be legalised.

IX. There are several other objectional features of these proposals but it is unnecesary to detail them all. Some of them will, however, become apparent as the succeeding detailed scrutiny of the proposals proceeds. Enough has, however, been said to show that these proposals give no indication of its framers being grateful for the generous treatment which they have received. On the contrary they betray great distrust of the various organs of the Indian central authority including the Parliament, the President and the Supreme court.

x. Such an important matter as constitution making should have been circulated for public opinion before being finally passed when it is an admitted fact that this Assembly is composed of one party alone. The constitution should not have been conceived and hatched in a secret manner behind closed doors. Without associating any person unconnected with the Government or the Assembly even in an advisory capacity at any stage of their formulation or consideration. These facts should persuade the Government

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of India to examine these proposals with special care and consult the Jammu opinion before accepting them finally.

XI. Some points calling for consideration which the detailed scrutiny of these proposals has revealed, are briefly noted below:-

1/ *Article 3 of the Indian Constitution*

The new proviso which it is proposed to add to this Article will in certain respects overlap the existing proviso.

2/ *Part II of the Indian Constitution*

This part is to apply to this State from January 26,1950, but the State acceded to the Indian Union from October 26,1947. What will be the Status of the people of the State between these two dates. Will they be deemed to have been alien during this interval.

3/ *Article 7*

It is proposed to add a new Provinee to this article Even Sheikh Mohammad Abdullah, Ex-Prime Minister of the State, know that the policy underlying the proposed proviso might occur apprehensions in certain quarters. He tried to allay these fears in the statement which he made before the state Assembly on August 11,1952, in the following words:

"It has been suggested in certain quarters that this protection has been provided only for those residents of the State who are at present stranded in Pakistan. I would like to make it clear, as I have stated earlier, that this protection will operated only when the conditions are normal and such conditions naturally pressure that the resettlement of the dislocated population, whether Muslims or Non Muslims cannot be one sided or unilateral".

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If such is still the intention it should be clearly and expressly stated in the Proviso and not left buried in vague declaration of the Ex-Prime Minister Secondly, as the new Proviso will operate to confer Indian citizenship, and also because its subject matter deals with, and effects, foreign relations, the law which is to regulate this matter should be enacted by the central, and not by the state legislature. Thirdly as the conditions are not likely to become normal in the near future, there need be no desperate hurry in adding this proviso, it can be added when the condition becomes normal. Lastly, it should be kept in view that part of the Jammu and Kashmir state which is at present in the occupation of Pakistani forces and which to sometimes misdescribed as the "Azad Kashmir territory", is not identical with, and should not, therefore be confused with the territory now included in Pakistan". The framers of the proposed proviso have ignored this distinction. They probably had the former territory in view but have used the latter expression to describe it. They seem to have fallen into this error because they have copied blindly the language of the existing proviso without realising that it becomes inaccurate in the context in which they have used it. In view of these complication, and also because there is no real urgency, it seems expedient to drop the idea of adding the proposed proviso to Article 7.

4. *Article 19 (FUNDAMENTAL RIGHTS)*

The practical effect of adding the new clauses (7) to Article 19, as has been proposed, will be that for five years there will be no "fundamental" rights in the state,

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and thus what was intended to be granted under clause (1) will have been taken away under Clause(7) for that period. It is of the very essence of the "Fundamental" rights which are provided in the Indian constitution, that the legislature should not have the absolute power to impose such restrictions on their exercise as the courts consider to be unreasonable. If the legislature is made the sole absolute judge of the reasonableness of any restrictions which it might deem fit to impose on their exercise, then such rights cease to be "Fundamental" and become ordinary legal rights. It would be more honest way of dealing with this matter if the proposed clause (7) were to be worded as follows:

" (7) For a period of five years these citizens of Indian who (unfortunately) happen also to be the permanent residents of the State of Jammu and Kashmir, shall not exercise the rights conferred under clause (1), except to the extent to which the legislature of the State may, in its absolute discretion, permit them to do so".

As the discretion is not to be "Judicial", it need not necessarily be judicious and may be capriciously exercised.

5. *Article 22(Preventive Detention)*

The proposed amendment is neither necessary nor fair, but if it must be made, its duration should be limited to a period not exceeding five years.

6. *Article 31(property rights)*

Clause (3) of this article should not be omitted as has been proposed. In the first place, it provides a safeguard which certainly is not less necessary in the case of this state than it is for the rest of India. Secondly, in the matter of land reforms it is desirable to

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aim at a measure of uniformity . Thirdly, it is not clear why this clause is proposed to be ommitted when the proviso to the clause (1) of Article 31-A is being retained, as both rfer to similar matters.

7. *Articles 31-A(Acquisition of Estates)*

The proposed definition of"Estate" is needlessly and unfairly too wide. Secondly, the definition of "Estate" gtiven in our law relating to land tenures (Tenancy Act) which is saved by the existing sub clause (a) of clause (2) of Article 31-A could have served the purpose in view. Thirdly, it is undesirable to provide a fixed definition of "Estate" in the Constitution itself, because it may become necessary to very the definition from time to time, or place to place, or in order to suit various purposes but constitutions cannot be easily amended even when it becomes necessary to do so.

8.*Article 35-A (Privileges of State Subjects)*

This article, if added, will create dual citizenship and retard the growth of common nationality and classless society. It will be a bar sinister on the Indian escutcheon and a disfiguring blot on the Indian constitution. Seondly if its addition is unavoidable in view of the present mood of the Kashmiri leaders, its duration should be limited to a period not exceeding five years. Thirdly, even in that case, sub-clause (iii) of clause(b) should be omitted, because "settlement" is a vague term, and it is not at all clear what it is intended to include over and above that which is already covered by sub clause (i) , (ii) and (iv). Fourthly, it should be stipulated that sub clause (iii) must not be used to impose new, or enlarge the existing, disabilities. Lastly, the saving grace of Article

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35-A should be limited to existing laws, and should not cover laws imposing new, or enlarging the existing disabilities.

9. *Part (iv) Article 36 to 61(Directive Principles)*

If these articles are proposed to be omitted it is a matter for profound regret. These have been evolved after mature thought and long experience, and should guide the course of legislation and administrative action in every enlightened state, There should be no hesitation in adopting them because they are directory, and not mandatory in the sense of being justifiable.

10. *Article 54, 55 and 61(Parliamentary elections)*

In the first place, it is unfair to deprive the people of the State of their right to choose by direct election their representatives in the House of the people. When direct elections were held for the State Assembly, electoral rolls were prepared on the basis of adult franchise. Such rolls can be prepared also for the Parliamentary elections. If the population of the State can be assumed to be 44,10,000 for purposes of Article 55, as has been proposed, there is no reason why the same figure should not be adopted for purposes of Article 81, Secondly, it would be a mismanner to categories the representatives of the State as "elected" members for purposes of Article 55, as has been proposed, when, at the same time it is being clearly provided under article 81, that they shall be "appointed" by the President. Their status will still be that of "appointed" (i.e. nominated) members even though they might have been appointed on the recommendations of the State Legislature. At present they are "chosen by the President in consultation with the Government of the State".

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But it is now proposed that "they shall be appointed by the President on the recommendation of the legislature of the "State". It would be simpler to say that hereafter the representatives of this state in both the houses of Parliament shall be elected by the elected members of the State legislative Assembly. Thirdly, it is wrong to provide in the Constitution itself that the population of the State shall be deemed to be 44,10,000. This figure is bound to vary frequently but the constitution should not liable frequent changes, perhaps the best expedient would be to make a temporary provision on the lines of Article 387, until a regular census can be held in this state.

ii. *Article 73(Executive Power of the Union)*

This article is at present in force without any modification in this state by virtue of the constitution(Application to the jammu and Kashmir) order, 1950. But it is now proposed to repeal certain words from the provisos toclause (i) of this article. No reason has been given for the proposed repeal, and none is apparent. Considering that clause 1(a) deals with matters with respect to whin the Parliament has power to make laws, and that the whole of Article 73 deals with the extent of the executive power of the union, it would be better either to omit the proviso altogether or to leave it unmodified . Any tempering with it might make matters worse.

which.

12. *Article 136(Special Leave to appeal by the Supreme Court)*

Under article 136 the Supreme court is empowered to grant in its discretion. Special leave to appeal before itself, but it is proposed to omit this article and deny this power to the court in relation to this state. This

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would be a very unwise and serious ommission. Without this power the extension of the jurisdiction of that court to this state will remain illusory, and the people will not have full confidence and assurance that they are getting justice and protection of their rights like other citizens of India.

13. *Article 139(Additional powers of the Supreme court)*

This article is applicable to this State at present but it is now proposed to repeal it. Obviously this is a retrograde step and should be avoided.

14. *Article 149 and 150(Comptroller and Auditor General)*

It is necessary to apply these articles to this state in the interest of sound financial administration and economy, as the present state of affairs in this respect is far from satisfactory. Secondly, such application becomes almost inescapable now that the state Government is going to get its share from the common pool of certain central taxes. As the taxed to be shared are raised from the people of India as a whole, all of them as tax payers are entitled to the assurance and protection which these articles are intended to supply. Thirdly, the central Govt. would be failing in its duty if it did not satisfy that the funds supplied by it to the Government of this State were being utilised properly for the intended purposes. This duty the govt. of India can discharge effectively only if these articles are applied to this state.

15. Article 255

Article 255 applies to this state under President's application order of 1950 but it is now proposed to omit

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it. There is no justification for such ommission.

16 Article 259

Article 259 applies at present to this State subject to the specified modification, but it is now proposed to omit it altogether. The retention of this article is very necessary.

17. *Article 261*

The whole of this article applied at present to this state but it is now proposed to omit the words"made by parliament" from clause (2) of it. This proposal seems to have been made in ignorance of the scope and purpose of clause (2). If the manner of, and the conditions for, providing public acts, records and judicial proceedings of the Union and of every state (including the Jammu and Kashmir State) are to be regulated for the whole of India on a uniform basis, as they should be, evidently the only law that can do this effectively and appropriately is the law made by Parliament. Therefore, it is clearly to the advantage of all concerned that this article should continue to apply without any modification to this state, as it does at present.

18. *Article 201(Priv Purse Sum)*

This article should be retained subject to certain obvious modifications.

19. *Part XVII (Official Language)*

This part should be made applicable to the Jammu and Kashmir state for all purposes.Considering that Urdu is not the spoken language of any considerable section of the people in any part of the state, its imposition as the official or regional language of the state and as the medium of instruction in schools or in colleges, will not

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be fair. In any case, Hindi should have equal status with urdu in this respect, if not throughout the state, at least in the Jammu province. The medium of instruction in the primary or basis classes should be the mother tongue, but the guardians should have the option of declaring the mother tongue of their wards. In any case, whatever is adopted as the official or regional or mother language in the state or any part of it. It should be permitted to be written both in Arabic and Hindu characters at the option of the persons concerned, and its teaching should be arranged and permitted in both characters.

20. *Part XVIII (Emergency Powers)*

It is proposed to omit Articles 356, 357 and 360 and to amend article 352. Under article 355 which is being retained, it is the duty of the Union to protect this state, not only against external aggression, but also against internal disturbance and also to ensure that the govt. of this state is carried on in accordance with the provisions of the constitution. The President of the Union will be deprived of the power to act effectively and promptly, in discharge of the duty imposed under article 355, if articles 356,357 and 360 are omitted amended in the manner proposed. There should be no divorce between responsibility and power. This part should apply to this state in its entirety without any modification.

21. *Part XIX Article 361(Sadar-i-Ryasat)*

There should be confusion, vagueness or conflict about the position of the Sadari-Ryasat but such is likely to be the result if reference is retained to the state constitution in the new clause (5) which it is proposed to add to this article. Keeping in view his position and

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functions, he should be free from local influences and harassment. Experience of the action he had to take in the recent emergency should suggest caution in this respect.

22. Article 362. The retention of this article is necessary reasons which are obvious.

23. *Article 366*

It is necessary to retain this article if the powers of the union Executive under the constitution are real and not illusory, if it is not to be exposed to mockery and reduced to impotence in relation to this state, if in the absence of an effective sanction, its lawful directions are not to be floated with impunity, if its duties and responsibilities and if the Govt.of the State is to be carried on in accordance with the provisions of the constitutiion.

→ Under Article 355 are to be carried out satisfactorily

24. *Article 372*

Article 372 makes mention of Article 385. This reference is inappropriate because article 395 is proposed to be ommitted.

25. *Article 374(Advisory Board)*

It is proposed to amend clause (4) of Article 374 in order to provide for the abolition of the State Board of Judicial Advisors and the transfer the appeals pending before it for disposal to the supreme court of India, but this is likely to make matters worse in one respect. The Board present jurisdiction is wider than that proposed to be conferred on the Supreme court. This will result in greater finality attaching to the decisions of the local courts, because fewer appeals will lie to the Supreme court than to the Board at present. Moreover, the appellate jurisdiction of the supreme court in relation to the

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Jammu and Kashmir courts will not be as wide as that which it exercises in relation to the courts of the other states. The provisions contained in chapters V and VI of Part BI read with part VII of the Indian constitution relating to judiciary are not being made applicable to the judiciary of this state. It cannot therefore, be pretended that the judiciary of this state including its High court will command the same measure of confidence and prestige which the judiciary of the of the state commands. If the confidence of the people in the justice administered in this state is not to be undermined, it is necessary that this state be brought up to the level of the level of the other states by applying to it all the provisions of the Indian constitutiion relating to judiciary just as they apply to the other Part B States.At any rate the present position when the Advisory Board is functioning, is much better than that which will result from these proposals after the Board has been abolished.

25. Article 387

This article should be retained until a new regular census has been completed in this state, because until the there should be some provision in the constitution under which authoritative estimates of its population could be made and varied from time to time, for purposes of elections. Of course some modification of this article will be necessary in its application to this state, because the three years period mentioned in it has already expired. The estimate of 44,10,000 proposed for purposes of articles 54 and 55 cannot remain a fixed figure for all time, and will have to be changed from time to time, but it should not be necessary to amend the constitution itself every

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time a correction of this figure becomes necessary.

27. Schedule VII List I EntryNo. 3

This entry at present applied to this state without any modification, but it is not proposed to curtail its scope considerably. There is no apparent reason to justify this course. The expression "administration of cantonments" is not wide enough to cover all the functions included in this entry. Evidently, the Army authorities need comprehensive powers in this respect. It should not be forgotten that this state is war area and that the opposing armies are ech other on its border.

28. Schedule VII, List I Entry No.9

This entry is applicable to this state at present, but it is proposed to omit it altogether, without the slightest justification.It should be retained because it subject matter is connected with Defence, Foreign Afffairs, and the Security of India, which are the exclusive concern of the union.

29. Ninth Schedule

As many as six laws of this state are proposed to be included in this schedule.It is inequitable and unnecessary to protect some of these laws in this manner. In particular, the Distressed Debtors Relief Act, the alienation of land act and the whole of the tenancy act need not find a place in this schedule.

Yours faithfully,

sd/ Prem Nath Dogra

Jammu and Kashmir Praja Parishad

Dated 1.4.54.

Pt. Prem Nath Dogra, the President of Jammu and Kashmir Praja Parishad submitted a Memorandum to the President of

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India on 15 the April 1954 with the request that the Govt. of India should examine the proposed constitution with special care and to ascertain the opinion of the people of Jammu province, before accepting them finally. He once again asserted that they were opposed to J&K State having a separate constitution. While criticising it he said that the unsatisfactory character of the new proposals bcame quite apparent, in as much as they disturbed the nice balance of adjustments that the Indian Constitution in its entirety was intended to be. They "mutilated its organic unity without leaving a fair working arrangement".They seemed to have been cleverly devised in order to achieve the following objectives, he added:-

1. To retain as much power as possible
2. To part with as little of it as might be inevitable
3. To let qualifications and exceptions swallow up what is conceded.
4. To make the powers retained be the chosen monopoly of an unalterable fixed majority
5. To ensure that the resulting set up shall not be altered without the consent of that majority.

Some of the expedients adopted by the framer of the proposals, in order to achieve the above objectives were also enlisted in the memorandum:They were:-

1. Fundamental rights have ben whittled down and reduced to a mockery.
2. The jurisdiction and powers of the Supreme Court had been curtailed to prevent effective enforcement of fundamental and other rights.
3. Full control over the State High court has been retained in order that the local Judiciary may not become

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truly independent and embarrass the executive authorities.

4. A sort of dual citizenship has been created, within the Indian Union to its eternal shame and humiliation.

5. One way traffic from Pakistan in the matter of settlements within this state has been provided for.

6. Direct elections to the House of the people from the State have been voided, in order that the authentic voice of the people of this state may not be herd even in the Indian parliament.

7. The powers vested in the Central organs of authority in the Indian Union in relation of the other part B States have been curtailed even in matters of common and national interests where uniformity of action is necessary.

8. The status of the Sadar-i-Riyasat has been made inferior even to that of a Governor, and his position precarious be leaving him at the mercy of a prejudiced and an unalterable fixed majority in the local legislature.

9. Even the Delhi pact has not been fully implemented.

10. Certain provisions of the Indian constitution which are applicable to this State at present are proposed to be repealed.

11. The capacity and powers of the Indian Union to take prompt and effective action in relation to this State at times of emergency have been crippled.

12. Provisions relating to effective and independent audit and financial control have been ommitted.

13. Drastic and confiscatory "law less"law are proposed to be legalized.

Pt. Prem Nath Dogra further added that the constitution should not have been conceived and hatched in a secret manner behind closed doors, without associating any person

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unconnected with the Govt. or the Assembly even in an advisory capacity at any state of their formulation or consideration. Rather such an important matter as Constitution, he emphasised, ought to have been circulated for public opinion before it was finally passed.

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The All J&K National Conference alleged that Praja parishad was advocating for the return of monarchy and undoing of the land reforms in the state. In reply to these allegations Sh. Om Prakash Mengi - The then General secretary of parishad issued the following statement.[159] —

See original pp 275-276

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Pt. Prem Nath Dogra, also submitted a representation to Sh. Gobind Ballbh Pant, the then Home Minister Govt. of India on 24th July 1956. A copy of the memorandum submitted to the President of Indian on 1.10.1954, was also sent to him. He pointed out that the people of Jammu were opposed to J&K State having a separate constitution, as distinct and different from the constitution of India., The representation pointed out that Praja Parishad, which had the backing of a large majority of the people of Jammu province at least, was definitely opposed to any distinction being made between Jammu and Kashmir state and other constituent units of India as that would perpetuate a sense of separatism in a large section of the people of Kashmir which was being exploited fully by Pakistan to the detriment of the interests of Kashmir state as also of India as a whole. Pt. Dogra pointed out that the exact character of the Constitution being drafted, was not known to them. But indications were that they proposed to stick to their original plan of making the Constitution distinct and different from the Constitution of India in every material respect. They had learnt he added, that it did not provide for the auditing of State accounts by the Auditor General of India, nor did it accept the supervision of Election commission of India over the elections in the state, the appointment of the judges of the state High court was being left to the discretion of Sadar-i-Riyasat,

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who was a nominee of the President and that Supreme court of India was not being given full jurisdiction over Kashmir; Election for the State representatives to the Lok Sabha were sought to be kept indirect and no provision for reservation of seats for Harijans through double member constituencies was being made. All this was most perturbing said he. While concluding the representation he requested him to see that these objectionable features of the proposed constitution of the state were removed and that it was brought in line with the Constitution of India.

The following is the full text of the representation[152] :-

THE TEXT OF THE REPRESENTATION SUBMITTED TO SHRI GOVIND BALLABH PANT THE THEN HOME MINISTER GOVT. OF INDIA.

Sh. Gobind Ballbh Pant,
Home Minister,
Government of India,
New Delhi.

Respected Sir,

Jammu and Kashmir state constituent Assembly is expected to finalise the constitution of the State shortly. In this connection we would like to place the following submission before you.

We had submitted a memorandum a copy of which is attached herewith to the Hon'ble President of India on 1.10.1954 regarding the draft proposals that were then formulated by the State Constituent Assembly about the Constitution for the State.

We had then submitted that we are opposed to the Jammu and Kashmir State having a separate constitution distinct and different from the Constitution of India in the making

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of which the representatives of Jammu and Kashmir state had also taken part. We had then made it clear that Praja Parishad which has the backing of a large majority of the people of Jammu province at least is definitely opposed to any distinction being made between Jammu and Kashmir state and other constituent units of India because that would perpetuate the sense of separation in a large section of the people of Kashmir which is being exploited by Pakistan to the detriment of the interests of Kashmir state as also of India as a whole.

We do not know as to what is the exact character of the Constitution now being drafted by the Kashmir Govt. But indications are that they propose to stick to their original plan of making the Constitution for Jammu and Kashmir distinct and different from the Constitution of India in every material respect. We have learnt from reliable sources that it does not provide for the auditing of State accounts by the Auditor General of India nor does it accept the supervision of Election Commission of India over the elections in the State. The appointment of the judges of the State High Court is being left in the hands of Sadre-Riyasat who is elected by the legislature and is not a nominee of the President and that Supreme court of India is not being given full jurisdiction over Kashmir. Elections for the State representatives to the Like Sabha are sought to be kept indirect as heretofore and no provision for reservation of seats for Harijans through double member constituencies is being made. The present practice of reserving some constituencies exclusive for Harijans deprive non Harijans of these constituencies of the right to stand for elections in their home constituencies.

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All this is most perturbing we have had quite long experience of the high-handed way in which the present state Govt. has been playing with the rights, honour and liberties of the people of the State. The experience of the recent Municipal and Panchyat elections in the State has confirmed our fears and doubts about the totalitarian aims of the men now in power in the stae.

We have been putting up with all this in the hope that the dark night will after all end and we will be able to breathe fresh air when the State is fully brought under the constitution of India. But that hope is becoming dim and the prospect of perpetuation of the present one party oppressive regime is looming large before our eyes. This has naturally made all the freedom loving and democrat minded people of the State desperate.

We, therefore, beg to request you to see that these objectionable features of the proposed constitution of the State are removed and that it is brought completely in line with the Constitution of India."

Yours Sincerely,

Dated 24 July, 1956.

sd/ Prem Nath Dogra
President
All Jammu and Kashmir, Praja Parishad

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EPARTMENT OF POLITICAL SCIENCE
GURU NANAK DEV UNIVERSITY,
AMRITSAR.

Pt. P. N. Dogra had then sent the following letter to the Prime Minister of Govt of India ~~on~~ in Feb. 1954 ~~(P.T. 43~~ 156 :

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The Prime Minister,
Government of Indian Union,
New Delhi.

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Sir,

We feel it our patriotic duty to bring to your notice through the following memorandum the growing deterioration in the internal situation of Jammu and Kashmir State which if not improved in time, is bound to affect adversely the wider interest of India as a whole. The need for greater attention and speedy improvement in the situation has been made imperative by the development in Pakistan and intensification of the Pakistani propanganda of preparation for sabotage and war from inside and outside the strategic part of India.

Eleven years have passed since Jammu and Kashmir State which has been an integral part of India, historically, geographically and culturally all through the ages, acceded to India according to the procedure laid down in the Mount batten Plan. It was then hoped that the anamolies in the relationship of Jammu and Kashmir with the rest of India will be removed, and its people, as citizens of India, will be given opportunity to run a new leaf in their lives and live as equal citizens of India enjoying the rights and liberties guaranteed by the Constitution of India.

But these hopes and aspirations have remained unfulfilled so far. The Government of India has thought it fit to lay store more by a few individuals than by the peoples of the State as such. And these individuals, first Shiekh Abdullah and now Bakhshi Ghulam Mohammad, are more interested in keeping themselves in power by denying to the people their basic rights and liberties, than in developing a spirit of unity and equality in the people of the State and their brethren in the rest of India. It is this desire to keep power in his own hands which

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motivated Shiekh Abdullah to insist upon a separate Constitution for the State which gave his and his Government special and unchallenged powers to ride through stood over the basic rights, liberties and aspirations of the people to be one with the rest of India.

The people, therefore, raised their voice against his separatist and dictatorial policies. Under the leadership of Praja Parishad thousands of people suffered incarcerations and scores of people faced police bullets in the defence of India's tri-colour flag in this part of India. This epic of suffering and sacrifice culminated in the supreme sacrifice of late Dr. Shyama Prasad Mooker Ji in Srinaga Jail, which finally opened the eyes of the people and Government of India to the realities of the situation in the State and ambition of Shiekh Abdullah.

With downfall of Abdullah and rise of Bakhshi Ghulam Mohammad to power hopes were raised once again that anamolies in the relationship of Jammu and Kashmir State with the rest of India will be removed once for all and that disabilities from which the people of the State are made to suffer for the pleasure of the ruling Junta will be done away with. But we are pained to say that even though five years have passed since that change over the people's hopes and aspirations about becoming one with their compatriots of the rest of India in all respects have not only remained unfulfilled but what is worse they are even being deprived of the most elementary rights and liberties. Bakhshi Ghulam Mohammad in order to perpetuate himself in power is following such policies as have saped all good will of the people which he initially enjoyed. He has become a ruthless dictator trying to keep himself in power by all means fair or foul. Absence of full jurisdication of Supreme Court of India has enabled him and his

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Government to curb the basic liberties and freedom of the people who are being denied the freedom of speech, association and expression in so many dubious ways. What is worse the elections to the State Legislature and to the local Panchayats are being so rugged as to make them a mere force. Some glaring and incontrovertible example of this ruthless suppression of civil liberties lawlessness and rugging of election are given below :-

1. Interference by the persons belonging to the party in power in the administration of the State is very commonly seen in the Jammu and Kashmir State. If the administration takes upon itself to transfer a person against whom the administration receives numerous complaints such transfers are later withheld on the interference of the members belonging to the National Conference. One such instance is that of Mr. Dr.R.S.Modi Health Officer of the Jammu Municipality. This complaints have increased to such an extent that the "Kashmir Post" a pro-Government paper had to write in its edition dated January 10th, 1959

> "We would particularly like to draw the attention of the Government towards two or three main defects which are at the root of over-all in-efficiency in the administation.
>
> Firstly undue interference with day to day working of the administration by the Political executives (Ministers etc.) should be completely stopped. This single factor is responsible for the lack of the qualities of efficiency, initiative, imagination, leadership and taking of responsibility among the civil service. This undue interference in administrative matters is also responsible for growing inefficiency and corruption. There have been instances to prove that this undue interference on the part of some of the Ministers has resulted in undoing of flouting some of the decisions of the Government."

This is not only with this Government alone but since the very inception of popular rule in the state it has been faced by the people very often. Even the Chief Conservator of Forests had to complain against the undue interference of the National Conference Organization in his administrative affairs. This interference has created

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in-efficiency in the administration and induces the Government employees also to take part in the party politics. The Government machinery act on the advice of the National Conference Organization and they do all foul acts to see that their masters are pleased in one way or other with the result that the people do not get justice at their hands because they do not dare to complain against their high-handed acts. We have several times demanded from the Government of Jammu and Kashmir that the Government machinery should be left aloof to decide matters for themselves and not to be interfered but this advice and sugg stion has been ridiculed and not weighed in its true perspective.

2. The administration has become top heavy. In the days of the Maharaja there were only five Ministers to look after the affairs of the entire state including that part which has now been occupied by the Pakistan and at present there are 12 Ministers to look after 2/3rd part of the State. Not only that the Police expenditure in the State has increased from 16 lacs to 64 lacs with the result that there is lesser efficiency. Murderers go un-traced and people abstain from reporting the offences in the police station for getting the offenders penalised. Their confidence in the efficiency investigation and inquiry is completely shaken. Besides that superfluous posts are being created to accommodate the retired hands and also persons in the good books of the rulers. The Office of the Constitutional Advisor is still being retained to accommodate another retired hand. Recently again a new post of Chairman Land Laws Committee has been created to accommodate the retiring Financial Commissioner.

In 30 Tehsils of the entire state there were previously 30 Tehsildars with same number of Naib Tehsildars but at present there are about 60 Tehsildars and about 125 their Naibs. Besides the above mentioned superfluous posts special advisors, and Special Officers

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attached to various Departments of the Jammu and Kashmir State have bee appointed with a plea to bring the administration in tone with rest of India.

3. F_O_O_D S_I_T_U_A_T_I_O_N

The food situation in the State has deteriorated since the year, 1947. Previous to that three lakh maunds of food stuffs were imported from India to meet the deficit to feed the entire population o of the State and now that 1/3rd part of the State which was mostly a deficit area, is in the possession of the enemy and 1/4th of the population is on the other side of the ~~enemy~~ Cease Fire Line the Government figures tell that the State is deficit of 42.52 lakhs maunds of food stuffs. It may also be mentioned here that the State has spent about 3 crores of rupees on the improvement of Irigation of the State and about one crore on the improvement of Agriculture for increasing the production of the food stuffs. The various land reforms introduced so far to increase the food stuffs have also resulted in the increase of the import of food stuffs. The Government has given several different figures that it has spent for the improvement of the irrigation for production of the food stuffs. These figures are varying and are disterted. Questions in the Assembly regarding the authenticity of the figures are not replied. In the State the food situation inspite of all the expenditure that the Government has borne has not shown any better results.

4. L_A_W_L_E_S_S_N_E_S_S

There is complete lawlessness in the Jammu and Kashmir State Decoits go set free because they have the backing of the leaders of the National Conference-ruling party. Attack on the Government officials are not cared for and the accused belonging to the National Conference are not prosecuted. In October, 1957, the Excise Party aided by the Police and the the Magistrate raided Bhore Camp for detecting the

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illicit traffic in illicit distillation. More than 1000 gallons of illicit liquor were recovered from this camp and the persons from whom this illicit liquor was recovered backed by S.Janak Singh, the leader of the camp, who also happens to be a member of the Executive of the provincial National Conference attacked the raiding party and deprived the officers of their uniforms they were wearing and also some other articles. The case against these persons was registered under sections. 395,149,332 of the R.P.C and the persons arrested were released by the timely help of the leaders of the National Conference to these assailants. They later induced the District Magistrate to write to the Government prosecutor to withdraw the case. Inspite of the fact that it had been sent by the Additional Magistrate to the Sub Judge Magistra Ist Class on the 18th November,1957. The challan was presented to the said Magistrate on 28.4.1958 with the request that the case be allowed to be withdrawn and the order of the Sub-Judge Magistrate on the file reads as :-

" 28.4.58. Government Prosecutor Present.
Accused absent.Challan has been produced to day. It may be entered on the register. The Government prosecutor has submitted an application that in accordance with the order of the District Magistrate he may be allowed to withdraw the case. There is no reason mentioned in this application for withdrawal of the case. Any how the permission is hereby given. The statement of the Government prosecutor is recorded. Since the sanction ~~xf khxxfxxxxx~~ for the withdrawal has been given the case be dismissed and consigned to the records and the accused be deemed to be discharged."

Order announced Sd/- S.J.Magistrate,1st Class Jammu

Attacks on the workers of the opposition parties is the order of the day. In the Kashmir Valley even M.L.A.'s are not spared. The Ex-Revenue

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Minister, Syed Mir Qasim and ex-Speaker of the Legislative Assembly Mr. Ghulam Rasool Ranzu were attacked while they had gone to Sopore in connection with the Town Area Elections. Ghulam Rasool Kar was also man-handled and severely beaten. Even in Jammu province Mr. Rajinder Singh M.L.A who had gone to Poonch in connection with the organizational work was attacked and the meeting he was addressing, was tried to be dispersed with the help of the police and the Block Development Officers. Mr. Abdul Rehman a member of the working committee of the Praja parishad was also man-handled by the Tehsil Secretary of the National Conference Mr. G.H. Goni. And very recently in the month of December, 1958 when two workers of the Praja Parishad of Ramban Mr. Labhoo Ram Tehsil President of Praja Parishad and Charanjit Lal had been to illaqa Bhattal Tehsil Reasi they were attacked by the goondas who were being led by the patwari Abdul Majid and other Government officials of that area. One of the above mentioned two workers Mr. Charanjit Lal received very serious injuries. This is not a single instance in that area even previously Shri Beli Ram, Lumberdar who had dared to challenge the election of Mr. Mohammad Ayub Khan, Deputy Speaker Legislative Assembly who also happens to be the President of the Provincial National Conference has been implicated in several criminal cases like murder of persons who were later found to be alive. His house was stoned and he was ~~kukya~~ tortured to the maximum to withdraw the petition. Reports were lodged with the police and the Prime Minister also was informed.

C_O_R_R_U_P_T_I_O_N

Corruption, nepotism and favouratism is ranpant in the administration. The Prime Minister himself corrupts the men by purchasing the workers of the political parties. Persons belonging to the National Conference are recruited in the Government Service thereby inducing people to join the National Conference for getting service

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in the Government and also other favours from it. Contracts and route permits are granted in favour of those persons who agree to work for the National Conference. Complaints against the Sub Judge Magistrate Ist Class Reasi Shri Tek Chand for his being corrupt and having taken bribes from the litigants has not been inquired into inspite of the public demand and representation.

P_L_A_N_S

The first and the second five year plan in the Jammu and Kashmir State were formulated without proper planning. There have been bungling in the construction works and crores of rupees have been waste on these plans. For instance the Kishtwar Canal which was originally estimated to cost 6 lakhs to the State Ex.chequer has taken 28.68 lakhs of rupees and had to be given up because it was found impracticable to be dug. Money allotted to the Panchayats has been embezzled in every block. Even the C.I.D reports and Audit Reports confirm the above facts No action is being taken against the defaulters because they happen to be either the members of the National Conference or the favourits and relatives of the ruling clique. Industries working in the Maharaj's rule have since been closed and those started by the present regime like Jammu Wood Factory, Thana Woods Works and Ramnagar Woollen Weaving centre and many others have been closed. The conditions of remaining factories like Willow Factory, Drug Factory and Sericulture are also not satisfactory. Industrial loans have been given to the National Confdrence workers. These loans have also not been utilized for the purpose for which these were given to them nor these have been realized Private Weaving Handcrafts providing work to thousands of workers have also sufferred extinction due to non-availability of cotton yarn.

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E L E C T I O N S

Elections to the Jammu and Kashmir Legislative Assembly were conducted in a very corrupt and high-handed manner. The Government officials were instructed by Bakhshi Ghulam Mohammad Prime Minister to reject the nomination papers of the Praja Parishad candidates. 20 election petitions regarding the elections in the Jammu Province were filed about two years ago. Out of these 20 only two have been disposed off uptil now and the single man election tribunal has been appointed for the entire State. Whereas in the rest of India there is one Electio Tribunal for each District. And in cases where the elections have been declared void bye-elections have been conducted and if there had been any corrupt practice in those elections the elections petitions have been f led with regard to such elections as well but in the State even though it is, as far as 22 August, 1958, that the Honourable High Court declared the election of Mr. G.A.Dev a National Conference candidate of the Doda constituency to be void. No be-election has been conducted ~~xxxxxx~~ so far and there is no possibility of the elections being conducted in this constituency for another period of four months.

Official interference and that of Bakhshi Ghulam Mohammad's personal interference in Town Area elections have been very much seen during these elections. The opposition candidates were kidnapped and were forced at the point of pistol to withdraw the contest. In Bishna the successful Praja Parishad candidate was declared unsuccessful and was later tortured and severely beaten. When he came out of the cluthces of the Police and was being brought to Jammu for medical inspection and for deposing ~~xxxx~~ true facts he was re.arrested by the Police alongwith those who were bringing him to Jammu. These persons were also tortured.

Such are the woeful conditions in the Jammu and Kashmir State

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and it has created a strong belief in the people that as long as this Government and as long as the State enjoys the special status in the Indian Constitution and the present Government is in power and the jurisdiction of the election Commission of India and that act of the Supreme Court in complete is not extended to the State of Jammu and Kashmir there can be no free elections in this state as a result thereof no legal constitutional and orderly Government can be set up in the Jammu and Kashmir State. This is not a hidden secret and as your honour have also declared it in your speech in the Parliament.

Besides the suppression of civil liberties and rugging of elections which is steadily destroying faith of the people in democratic remedies for the redress of their grievances, the ruling Junta is playing havoc with the administration by complications, aligning it with ruling party and making it an instrument for party propaganda. As a result all officials who do not like to subordinate their independence of judgement of the ruling party dictation are finding themselves in a very precarious position. Inefficient and corrupt juniors who are prepared to play second fiddle to the ruling party are being promoted to high posts without any regard to seniority and efficiency. Funds given for the execution of the 2nd Five Year Plan are being spent more to further party interests than for real improvement of the State. Partisanship, provincialism and communalism and also inefficienty and corruption are rampant in all walks of administration.

All this has created general discontent amongst the people of the state. The blame for all the corruption and supression of liberties is being assigned to the government of India which, in the popular eye, is the power behind the present ruling Junta Naturally this situation is being exploited by anti-India elements to the detriment of the wider interests of India. It has, therefore, become

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imperative for the Government of India to look into the whole situation and take remedial measures without any further delay. Indian Government cannot take shelter behind the convenient plea that internal affairs in the State are the responsibility of the State Government because the issue and interests involved in Kashmir ultimately affect the whole of India and not Kashmir alone.

We, therefore, appeal to you to take immediate steps on the lines given below to save the situation in the State from further deterioration.

1. Pending full application of the Constitution of India to the Jammu & Kashmir State after the deletion of section 370 in the Indian Constitution, immediate steps should be taken to bring the State Judiciary fully under the control of the Supreme Court and extend the jurisdiction of the Election Commissioner of India to the State so that all further elections in the State be conducted by it.

2. Since the State officials have lost all independence and integrity and have become demoralised senior staff for conducting elections should be deputed from India.

3. Elections to the local bodies so far held be scrapped and fresh elections ordered under the supervision of a high and impartial judicial officer.

4. People of the State be given the right to elect their representatives to the Lok Sabha directly and that elections must be conducted by the Election Commission of India.

5. The State officials promoted to I.A.S and I.P.S cadres be sent outside for gaining further experience and training and some experienced I.A.S and I.P.S officers holding independent views from other parts of the country be sent to the State to tone up the State administration.

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had issued the [illegible]

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6. An all party planning advisory committee including experts in the industry etc. should be set up to advise and guide the State in respect of schemes to be taken up and money to be spent for the plan purposes.

Any failure to move quickly on the lines suggested above is certain to create further complications. People of the State are looking to the Government of India for the redress of their legitimate grievances and making the administration good and efficient. If they are dis-appointed they will have to turn to other remedies which may not be very palatable to the Government of India at this movement. It is why we earnestly request you not to allow the things to drift. Let us all endeavour to keep the wider interests of the motherland and his Government [illegible] and unchal above party's interest and do the [illegible] in right time.

Yours faithfully,

Dated Jammu the,
Feb., 1959.

(PREM NATH DOGRA)
PRESIDENT
ALL JAMMU & KASHMIR PRAJA PARISHAD
JAMMU TAWI.

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Mr. Gopal Das Sachar-The Publicity Secretary of [illegible]

Parishad had issued the following statement on Oct. 1,1962[156].:-

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THE STATEMENT ISSUED BY SH. GOPAL DAS SACHAR

CENTRAL OFFICE

J&K PRAJA PARISHAD JAMMU

Democracy Sabotaged in Kashmir

By killing democracy in J&K how a handle is being provided by the State ruling men to the enemies to beat

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India, can be wel gauged from the following:

After the change over of power from Maharaja to the National Conference first general elections were held in the State in 1951. There were only two contesting parties- National Conference the party in power and Praja Parishad- only opposing party. Forty six out of seventy nomination papers of the Praja Parishad candidates were rejected summarily on flimsy grounds and those that were accepted were 14 constituencies only. Representations were made and assurances were sought from the Govt. for fair and impartial poll in the remaining 14 constituencies; but having failed to get the same and for the circumstances created by the men in power, the Praja Parishad was forced to boycott the election. The Assembly thus constituted was a packed house of underlings of the National Conference leaders.

The same tactics were employed in the 2nd General Elections in 1957 with little modification. Besides using the old tactics of rejection of nomination papers of the Opposition candidates, the boxes were tampered with frequently. In spite of all this the Praja Parshid captured 5 seats and one went to the Harijan Mandal.

As a sequence to the high handedness perpetrated in the elections 20 election petitions were filed affecting 24 constituencies in the year 1957. A one man Election tribunal was appointed to bear all these election petitions. The place for trial was fixed at Srinagar 200 to 300 miles from the concerned constituencies. The proceedings of these were allowed to dangle on and continued till the 3rd General Elections.

The story of the 3rd General Elections is not less

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painful though these were held for the Ist time under the supervision of the Union Election commission. A concerted effort was made to repeat the old tactics with great mischief and technique and thus minimise the importance of the Union Election Commission whose jurisdiction were extended to this State after a strenuous struggle of the Praja Parishad. In spite of repeated requests the polling was held in the month of February which was not at all suitable sea son for hilly areas of Jammu province. At most of the stations it was heavily snowing and raining as usual. The voters had not only to face the bad weather but they had also to travel on foot in these mountainous areas from 10 to 15 miles. The extent of bogus polling in favour of ruling party candidates by the concerned officials can be well judged from the fact that even in the hilly areas at many polling stations polling has been shown 95 to 100%. The overall average has been recorded 70 to 85 percent. Incontrast we refer to polling in Himachal Pradesh, a hilly tract adjoining Doda District of the Jammu province. In Himachal Polling was held in the month of May when the climatic conditions were very favourable but the overall polling could not exceed 25 to 30% while in doda District it was shown above 75% This brings into light the extent of bogus polling.

A further glimpse into the democratic way of life can be gained from the following facts.

There are 3 municipalities in the whole State-Sriangar-Jammu and Poonch. In Srinagar and Jammu cities the Municipal councils were superseded about 4 years back and Administrators were appointed and they were continuing uptil now. In Poonch elections were held in1989. About 5

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three years ago, instead of holding the election, the Govt. nominated all the 15 members of the Municipal council including the chairman.

- Similar are the conditions of the Town Area Committees. There are 29 T.A.Committees in the State. Elections toll of them are over due for long. In most cases committees were disbanded and administrators have been appointed for the last several years. Nine committees that were controlled by Praja Parishad were dismissed without any charge or proper enquiry. It is interesting to note that out of ten member committee of Udhampur Town, six members have resigned for the last six years. Two members have left Udhampur. But the committee with only two members is allowed to function because the Chairman had joined the National Conference.

The conditions in the Panchayats are no less worse where Govt. have retained powers to nominate five members in 11 members Panchayat-persons who are defeated in the elections are nominated as Panches and there are many cases in which the nominated persons have been installed as Sarpanches.

This all creates a bad name for India.

sd/Publicity Secretary

J&K Praja Parishad, Jammu

Dated 1.10.1962

Four years ago the State joined the Central I.A.S.Scheme. The state officers taken in the I.A.S.(without adopting the proper procedure of selection) got their pays doubled but the wonder is that these officers are not being transferred from here, though in the light of deteriorating law and order conditions in the state it was

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in the best interest of the State to get I.A.S. officers from outside to man state cadres like Dy. Commissioners and Secretaries and depute its I.A.S. officers outside the State so they could acquire the experience of wider field and learn working of some of the newly started activities. But by not transferring these officers the entire purpose of integration has been defeated.

sd/Gopal Dass Sachar
Publicity Secretary,
Praja Parishad, Jammu
Dated 1.10.1962. "

In order to get a wider support of the Indian masses for the people of Jammu, who were agitating not only for complete integration of the State with Indian Union but also a share in State's political power, the R.S.S.element in the Praja Parishad succeeded in affiliating the party with Bharitya Jana Sangh[157]. The All J&K Praja Parishad than stated operating Jana Sangh united in the State[158]. Pt. Prem Nath Dogra then toured throughout India and attended the meetings of the Bharitya Jana Sangh at the National level. The three slogans of Parishad-one president, one flag and one constitution for the whole of the country had raised the stature of Pt. P.N.Dogra at the National level also[159].

After the resignation of Pt. Mouli Chander Sharma from Presidentship of Bharitya Jana Sangh, who succeeded Dr. S.P.Mukerjee, the choice fell on Pt. Prem Nath Dogra. Technically, it was not feasible for him without merging his party with the Jana Sangh. Thus R.S.S.element under the auspices of Prof.Balraj Madok who had been campaigning since long for the complete merger of Praja Parishad with

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Jana sangh, finally succeeded in merging the former with the latter on February 20,1964 in a party session held at Akhnoor (Jammu) and presided over by sh. Din Dayal Upadhya, the then general Secretary of the All India Jana Sangh[160]. Mr. Chhatru Ram Dogra, Shiv Ram gupta alongwith a handful others had opposed this move of merger. Simply because the party would not only loss its regional character, its Muslim membership, who dubbed Jana Sangh as a communal party, but a strong force protecting the interest and aspirations of the Jammu region[161]. They were of the view that with its merger with Jana Sangh the channel for redresssal of grievances of the Muslims masses in Jammu against the aggressive trends of the National Conference Govt. would be closed. They would then look towards the communal, anti India and secessionists outlest in the valley[162]. But the proposal was ultimately carried out with majority support[163]. With that action the Jana Sangh had its units in most of the Hindu dominated belt of Jammu regions.

The integrationlists movement in Jammu region was then spear headed by Bharitya Jan sangh, whose policy with regard to Kashmir had been consistent, rigid, clear cut and influenced by its ideology of Akhand Bhart[164]. Any talk of the special status of the state, and consembly making a separate constitution for it were an anathema to the party. It had consistently regarded the accession of the state to the Union of India as final, complete, legally valid and beyond question[165].

At present B.J.P. being the subscriber of the same ideology of Akhand Bharat, looking after the Intergerationist movement in Jammu regions.

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